



Suggested recommendations to States considered in the 23rd round of the Universal Periodic Review, 2-13 November 2015

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Recommendations to the government of Australia to:

International human rights standards

- Promptly adhere to the International Convention for the Protection of All Persons from Enforced Disappearance without making any reservation; to recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties, and to implement it in national law;
- Accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Third Optional Protocol to the Convention on the Rights of the Child, without reservations, at the earliest practicable time;
- Withdraw reservations to Article 37(c) of the Convention on the Rights of the Child, and Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity without making any reservation;
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and to opt-in to the inquiry and inter-state procedures;
- Submit its report on follow-up information to the Committee against Torture due on 28 November 2015.

National human rights framework

- Facilitate a referendum to remove racially discriminatory provisions from the Australian Constitution;
- Expand the definition of “human rights” in the *Australian Human Rights Commission Act 1986* to include the provisions of the following UN human rights treaties and standards:
 - International Covenant on Economic, Social and Cultural Rights;
 - Convention on the Elimination of All Forms of Racial Discrimination;
 - Convention on the Elimination of All Forms of Discrimination against Women;
 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

- UN Declaration on the Rights of Indigenous Peoples;
- Ensure the Australian Human Rights Commission has adequate funding and resources, in particular to investigate and report on human rights violations.

Youth justice and Indigenous Peoples

- Raise the age of criminal responsibility nation-wide to the age of 12 years as the absolute minimum age and continue to increase it to a higher age level;
- Commit young persons to detention only as a measure of last resort, including by repealing legislation which imposes mandatory minimum sentences for young offenders;
- Establish a national mechanism to investigate violations in youth detention centres;
- Dedicate sufficient resources to address the social and economic factors underpinning Indigenous contact with the criminal justice system;
- Initiate a process for the Council of Australian Governments to establish national Indigenous justice targets and a justice reinvestment strategy to reduce Indigenous incarceration rates and improve community safety, in partnership with Aboriginal and Torres Strait Islander communities;
- Remove all juvenile offenders from adult prison facilities and improve conditions in youth detention centres;
- Provide increased long-term funding to Aboriginal and Torres Strait Islander Legal Services commensurate with community legal assistance needs;
- Implement policies to invest in remote communities and support Indigenous Peoples who wish to remain on their homelands to access essential services.

The rights of asylum-seekers

- End all detention of persons merely for seeking asylum;
- Remove all children and their families and other individuals at risk, including survivors of torture and trauma, from detention centres;
- End offshore processing of asylum-seekers and ensure all asylum claims are processed on the Australian mainland;
- Allow asylum-seekers to live in the Australian community while their claims are processed, following initial checks;
- Allow judicial review of negative security assessments and find long-term resettlement solutions for refugees given negative security assessments;
- Repeal the secrecy and disclosure provisions of the *Australian Border Force Bill 2015*;
- Amend the *Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015* to ensure the use of force is used as a measure of last resort and in a manner consistent with international standards.

Counter-terrorism and security

- Repeal the *Telecommunications (Interception and Access) Amendment (Data Retention) Act 2015*;
- Ensure Australian citizenship is stripped only in exceptional circumstances, after a serious criminal conviction in a court of law.

Violence against women

- Ensure that initiatives to reduce violence against women are adequately funded by federal, state and territory governments.

Recommendations to the government of Austria to:

International and regional human rights standards

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, to opt-in to the inquiry and inter-state procedures, and to ratify the Third Optional Protocol to the Convention on the Rights of the Child;
- Withdraw reservations to the International Covenant on Civil and Political Rights, the Convention on the Elimination of Racial Discrimination, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Ratify Protocol 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms and to accept the jurisdiction of the Committee on Social Rights;
- Promptly accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation, and to implement the Treaty into national law.

National human rights institution and national preventive mechanism

- Ensure that the national human rights institution comply fully with the Paris Principles and that the national preventive mechanism, envisaged by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, comply fully with the Guidelines on National Preventive Mechanisms;
- Ensure that the national preventive mechanism has sufficient resources to carry out its mandate, including preventive work ;
- Publish a German translation of the annual reports of the national preventive mechanism to the UN Subcommittee on the Prevention of Torture.

National human rights action plan

- Establish a national human rights action plan in line with the OHCHR guidelines;
- Set concrete objectives in the action plan with effective measures to improve the promotion and protection of human rights, based on thorough analysis of the current human rights situation in Austria;
- Strengthen the role of ministerial and regional human rights coordinators and to ensure that they have adequate resources to perform their roles effectively.

Prison conditions

- Ensure that no persons with severe mental disabilities and/or health conditions, particularly those for whom staying in prison would mean an exacerbation of their condition, are held in prisons. Instead, they should be cared for within the community or, where unavoidable, held in mental health facilities in accordance with international standards;
- Ensure that alternatives to penal incarceration are available for juveniles offenders, and that imprisonment is used only as a measure of last resort, for the shortest possible period of time and in specially designed facilities;
- Ensure that alternatives to detention are provided, to the greatest extent possible, for juveniles in pre-trial detention.

III-treatment and excessive use of force

- Ensure that all allegations of human rights violations by law enforcement officials are effectively investigated and appropriately prosecuted, and that victims have full access to reparation;
- Take concrete action to improve the investigation of alleged human rights violations by law enforcement officials, including by introducing a compulsory identification system for police officers and establishing a fully resourced independent mechanism to investigate such allegations, with the power to order disciplinary proceedings and refer cases directly to the judicial authorities;

- Ensure that all reports of torture or other ill-treatment are effectively investigated and documented in line with the Istanbul Protocol, including by fully incorporating it in domestic law and providing appropriate training to prospective and practicing law enforcement officials, as well as to law and health professionals;
- Establish an effective system to gather statistical data to monitor the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, including complaints, investigations, prosecutions, conviction of cases of torture and other ill-treatment, and reparations, including rehabilitation for the victims.

Discrimination

- Ensure equal protection from all forms of discrimination, including by harmonizing and extending the scope of anti-discrimination laws to include the grounds of religion and belief, age and sexual orientation;
- Open all legal partnership models to all, regardless of their sexual orientation or gender identity;
- Establish a comprehensive and coherent data collection system for recording and monitoring racially motivated crimes and report publicly on these issues;
- Assess the effectiveness of current legislation to combat racism, hate crime and hate speech, in particular Article 33 (1) lit. 5 and Article 283 of the Penal Code, including by carrying out an independent study of their application in practice, to make the findings public, and to develop follow-up measures in consultation with civil society;
- Ensure that police investigations are carried out in an impartial and non-discriminatory manner and not based on ethnic profiling.

Refugees and asylum-seekers

- Ensure prompt, fair, effective and high-quality asylum procedures, including effective and adequate access for all asylum-seekers to independent legal advice throughout the procedure, and access to adequate housing, social benefits and health care;
- Ensure that the provisions of the Istanbul Protocol are applied in refugee status determination procedures, including by providing a requirement in national legislation for medico-legal reports on signs of torture and other-ill treatment;
- Establish a comprehensive refugee resettlement programme.

Human Rights Education

- Enhance the provision of Human Rights Education in schools, including by improving the quality and quantity of teaching materials and by providing appropriate training for prospective and practicing teachers.

Recommendations to the government of Georgia to:

International human rights standards

- Promptly adhere to the International Convention for the Protection of All Persons from Enforced Disappearance without making any reservation, to recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties, and to implement the Convention in national law;
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and to opt-in to the inquiry and inter-state procedures.

Arms Trade Treaty

- Ratify and carefully implement the Arms Trade Treaty without delay, with particular attention to implementing Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights law and international humanitarian law.

Abuses and discrimination against religious minorities

- Set up prompt and impartial investigations into attacks against members of religious minority groups, and to bring to justice those responsible;
- Publicly condemn attacks against religious minorities to send a clear message that such violence will not be tolerated;
- Take measures to ensure that everyone has the right to express and practice the religion or belief of their choice without discrimination, in accordance with international human rights law;
- Ensure that the relevant authorities are aware of their duty to protect the right of everyone to freedom of religion.

Right to a fair trial

- Ensure that public officials respect the presumption of innocence when commenting on potential or on-going criminal proceedings;
- Ensure that prolonged detention or other custodial measures are used only when strictly necessary and justified.

Abuses by police

- Ensure that all allegations of unnecessary or excessive use of force by police are effectively investigated and that those responsible are brought to justice and victims receive adequate reparation;
- Establish a fully independent oversight body to receive and investigate complaints of police abuse, including allegations of excessive use of force, torture and other ill-treatment.

Torture and other ill-treatment

- Ensure full, independent, effective, and prompt investigations into all allegations of torture or other ill-treatment of detainees;
- Ensure that international and national human rights organizations are granted access to prisons for monitoring purposes.

Rights of lesbian, gay, bisexual, transgender and Intersex persons

- Promptly and impartially investigate hate crimes against lesbian, gay, bisexual, transgender and intersex persons and ensure that hate crime legislation is fully implemented in practice;
- Ensure that lesbian, gay, bisexual, transgender and intersex activists are able to freely exercise their rights to freedom of expression and peaceful assembly and to ensure that homophobic attacks on LGBTI assemblies, including marches and pride days, are promptly and impartially investigated.

Recommendations to the government of Lebanon to:

International and regional human rights standards

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Accede to the Rome Statute of the International Criminal Court and implement it in national law;
- Adhere to the Agreement on the Privileges and Immunities of the International Criminal Court.

National legislation affecting women

- Review current legislation and amend as necessary all discriminatory provisions, including regarding rights in marriage, divorce and inheritance;
- Amend Law No. 15 of 1925 relating to nationality to give women equal rights with men to confer their nationality to their children and spouses in conformity with Articles 2, 3, 24 and 26 of the International Covenant on Civil and Political Rights and Article 7 of the Convention on the Rights of the Child;
- Lift all reservations to the Convention on the Elimination of All Forms of Discrimination against Women, including Article 9, paragraph 2, regarding nationality.

National legislation on domestic violence

- Amend relevant provisions in law to criminalize marital rape;
- Amend the definition of domestic violence to ensure protection of women from psychological, economic and sexual abuse.

Refugees from Syria

- Ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol;
- Lift restrictions at the border and allow those fleeing the conflict in Syria access to safety and security in Lebanon;
- Remove the fee and other obstacles to the renewal of residency permits for refugees from Syria.

Rights of Palestinian refugees

- Amend Law No. 296 of 3 April 2001 to enable Palestinians in Lebanon to exercise their right to own and inherit property, in conformity with Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination and relevant provisions in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;
- Amend the Labour Law to allow Palestinians equal access to employment in all jobs and professions, to receive equal wages, and to attain job security;
- Make primary education compulsory, free and available to all children, and ensure respect for its obligations under Article 28 of the Convention on the Rights of the Child and Article 13 of the International Covenant on Economic, Social and Cultural Rights;
- Take all necessary steps to regularize, without delay, the status of “non-ID” Palestinian refugees in Lebanon, including by:
 - Registering all “non-ID” Palestinian refugees under Lebanese jurisdiction, providing them with official identification documents, ensuring that all their children are provided with the necessary registration and documents, and ensuring that the authorities comply with Article 7(1) of the Convention on the Rights of the Child and Article 24 of the International Covenant on Civil and Political Rights, which stipulates that every child has the rights to be registered immediately after birth, to have a name and to acquire a nationality;
 - Allowing, with immediate effect, Palestinian refugee students who do not have identification documentations to sit the Lebanese state exams, which give access to higher levels of education.

Abductions and enforced disappearances

- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance without making any reservation and implement it in national law, and to recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation;

- Establish a body aimed at guaranteeing the right to truth, justice and reparation of families of victims of abduction and enforced disappearance, and tasked with the following:
 - Locating Lebanese citizens and foreign nationals who were abducted on Lebanese soil and transferred to other countries, and undertaking all efforts to secure their release;
 - Locating and protecting mass graves in Lebanon believed to contain the remains of unidentified victims of the civil war that could belong to those who were subjected to abductions and enforced disappearances, including the three mass graves in Beirut mentioned in the findings from 2000 of the Official Commission of Investigation into the Fate of the Abducted and Disappeared Persons: the St Demetrious Cemetery in Achrafieh, the Martyrs' Cemetery in Horsh Beirut and the English Cemetery in Tahlwita;
 - Locating and protecting other possible mass graves, including the site that was formerly used as a base by Fatah, the Revolutionary Council, where the remains of Alec Collett and another body were found, and investigating whether this site contains remains belonging to other victims of the 1975-1990 civil war;
 - Exhuming the human remains found in mass graves in accordance with international standards, in particular the UN Model Protocol for Disinterment and Analysis of Skeletal Remains;
 - Setting up a DNA database to identify human remains and to allow the families of victims of abductions and enforced disappearances to finally know the fate of their loved ones.

Situation of migrant domestic workers

- Amend the Labour Law to ensure full compliance with international law and standards, including by setting up effective enforcement mechanisms;
- Set up the necessary inspection mechanisms to prevent abuse and ensure regular payment of wages and decent working conditions for migrant domestic workers.

Torture and other ill-treatment

- Expedite the establishment of a robust and independent national preventive mechanism with access to all places of detention in Lebanon;
- Amend the definition of torture in national law in line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Amend articles in the Penal Code to criminalize all forms of torture, regardless of its objective, and to provide for penalties appropriate to the grave nature of the crime;
- Ensure that all allegations of torture or other ill-treatment are effectively and promptly investigated by an independent and impartial body, and that all those suspected of criminal responsibility for torture or other ill-treatment are brought to justice in fair trials before ordinary civilian courts and without recourse to the death penalty;
- Ensure that statements extracted under torture or other ill-treatment cannot be invoked in any court proceedings, except against a person accused of torture or other ill-treatment.

Rights of lesbian, gay, bisexual and transgender people

- Immediately cease arrests, under Article 534 of the Penal Code, of individuals who are perceived to be lesbian, gay, bisexual or transgender, and to drop charges against and release unconditionally individuals who have been arrested under this legislation;
- Implement the Ministry of Justice directive to immediately cease the practice of anal examinations of individuals under arrest, to immediately and impartially investigate such incidents, and to bring to justice the perpetrators;
- Immediately investigate allegations of torture or other ill-treatment by the police against individuals who have been arrested because they are perceived to be lesbian, gay, bisexual or transgender, and bring the perpetrators to justice;

- Review existing legislation and amend as necessary any legislation that criminalizes consensual sexual activities, in particular Article 534 of the Penal Code.

The death penalty

- Establish an official moratorium on executions with a view to abolishing the death penalty, as called for in five UN General Assembly resolutions, including most recently resolution 69/186 of 18 December 2014;
- Commute, without delay, all death sentence to terms of imprisonment;
- Ensure full compliance with international standards for fair trial in all death penalty cases;
- Ensure that the death penalty is not under any circumstances imposed in violation of the guarantees provided for in Article 6 International Covenant on Civil and Political Rights.

Arms Trade Treaty

- Ratify and carefully implement the Arms Trade Treaty without delay, with particular attention to implementing measures to prevent the diversion and illicit trafficking of all types of conventional arms and Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights law and international humanitarian law.

Recommendations to the government of Mauritania to:

International and regional human rights standards

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and to opt-in to the inquiry and inter-state procedures;
- Accede to the Rome Statute of the International Criminal Court and implement it in national law;
- Adhere to the Agreement on the Privileges and Immunities of the International Criminal Court.

Arms Trade Treaty

- Ratify and implement the Arms Trade Treaty without delay, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights law and international humanitarian law.

Cooperation with the UN treaty bodies and the Special Procedures

- Extend a standing invitation to the UN Special Procedures, to accept without further delay the repeated requests by the Special Rapporteur on torture for a fact-finding visit, and to invite the Special Rapporteur on extrajudicial, summary or arbitrary executions to Mauritania;
- Submit its initial reports under the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention on the Rights of Persons with Disabilities;
- Fully and effectively implement the recommendations of the Human Rights Committee, the Committee on the Elimination of Discrimination against Women, the Committee against Torture, the Committee on Economic, Social and Cultural Rights, and the Special Rapporteur on contemporary forms of slavery.

Torture and other ill-treatment

- End torture and other ill-treatment, including by promptly carrying out investigations into all such allegations, by ensuring that confessions obtained through torture are not admitted in court, by holding all those suspected of criminal responsibility to account in fair trial procedures, and by providing all victims with reparations;
- Incorporate a definition of torture in domestic law in line with Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

- Ensure that the bill adopted in February 2015 by the Council of Ministers establishing a national preventive mechanism, as required by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, fully complies with international standards and the UN Guidelines for National Preventive Mechanisms, including by providing it with the necessary means and resources to carry out its work;
- Ensure that all detainees are given a fair trial before a civilian judge and allowed access to a lawyer of their own choice;
- Place the management of Dar Naïm and Nouadhibou prisons and other penal institutions under the control of the Ministry of Justice.

Slavery

- Implement the 2007 anti-slavery law and open prompt, thorough, impartial and effective investigations into all alleged crimes of slavery and ensure that those found guilty of such practice are held to account in fair trial procedures, as recommended by the Special Rapporteur on contemporary forms of slavery;
- Ensure that all victims of crimes of slavery receive justice, truth and reparation;
- Continue to implement the national programme to eradicate the legacy of slavery, adopted in March 2014, including by amending the 2007 Anti-Slavery Law to include further forms of slavery, such as hereditary slavery, debt bondage and forced marriage;
- Expand public awareness campaigns against all forms of slavery and adopt the necessary measures to abolish the caste system;
- Implement the recommendations by the Special Rapporteur on contemporary forms of racism, including tackling the issues in Mauritanian society which give rise to discrimination, including slavery and caste.

Freedom of expression

- Immediately and unconditionally release all prisoners of conscience, including blogger Mohamed Mkhaitir, sentenced to death for apostasy, and anti-slavery activists and human rights defenders, Brahim Bilal, Djiby Sow and Biram Ould Dah Abeid, sentenced to two years in prison for membership of an unrecognized organization and for taking part in an unauthorized assembly;
- Ensure that journalists, human rights defenders and other civil society activists are able to seek, receive and impart information, and to carry out their legitimate activities without intimidation, hindrance, or harassment;
- Remove the crime of apostasy from national legislation and enable Mauritians to fully enjoy their right to freedom of religion, including to change their religion.

Enforced disappearances

- Open prompt, thorough, independent and impartial investigations into all allegations of enforced disappearances and extrajudicial executions and to bring to trial before civilian courts all those suspected of criminal responsibility for these crimes;
- Ensure that state officials suspected of involvement in extrajudicial executions and enforced disappearances are immediately relieved of their functions for the duration of the investigation;
- Open an investigation into the enforced disappearance and death of Maarouf Ould Haiba, who was sentenced to death for terrorism offences in 2011, and who died in the unofficial detention centre of Salah Eddin in May 2014;
- Recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties, and to implement the International Convention for the Protection of All Persons from Enforced Disappearance into national law;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation.

The death penalty

- Abolish the death penalty and, pending abolition, to maintain the moratorium on executions;
- Commute without delay all death sentences to terms of imprisonment, including for blogger Mohamed Mkhaitir, who was sentenced to death for apostasy;
- Ensure that the death penalty is not under any circumstances imposed in violation of the guarantees provided for in Article 6 International Covenant on Civil and Political Rights;
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

Detention of women and minors

- Ensure that juvenile offenders are held in separately from adult detainees;
- Ensure that women detainees are not detained in facilities with male guards.

Recommendations to the government of Myanmar to:

International and regional human rights standards

- Ratify the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and opt-in to the inquiry and inter-state procedures;
- Ratify without making any reservation and effectively implement into national law the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the International Convention for the Protection of All Persons from Enforced Disappearance, recognizing the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties;
- Accede to the Rome Statute of the International Criminal Court and implement it in national law;
- Adhere to the Agreement on the Privileges and Immunities of the International Criminal Court, and the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity.

Arms Trade Treaty

- To ratify and implement the Arms Trade Treaty without delay, with particular attention to implementing Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights law and international humanitarian law.

Co-operation with the UN

- Facilitate the establishment of an OHCHR country office in Myanmar, able to operate throughout the country with a full promotion and protection mandate;
- Issue a standing invitation to the UN Special Procedures and respond favourably to their numerous outstanding requests to undertake fact-finding visits, and continue to cooperate with the Special Rapporteur on the situation of human rights in Myanmar.

National human rights framework

- Amend the 2008 Constitution to bring it into line with international human rights law and standards, including by ensuring it explicitly prohibits torture and other-ill-treatment in all circumstances and provides key fair trial safeguards, and to remove all provisions which enable impunity for perpetrators of human rights violations;
- Repeal or amend all laws that violate the rights to freedom of expression, association and peaceful assembly – in particular Section 505(b) of the Penal Code, the Peaceful Assembly and Peaceful Procession Law, the Unlawful Associations Act, the Official Secrets Act, the Electronics

Transactions Act, the State Protection Act, and the Emergency Provisions Act – to ensure these conform with international human rights law and standards;

- Repeal the Buddhist Women's Special Marriage Law and Religious Conversion Law and review and amend the Population Control Healthcare Law and the Monogamy Law to bring them in line with international human rights law and standards;
- Ensure that all legislation affecting women, religious and ethnic minorities and other minority groups explicitly protects against discrimination, in compliance with international human rights law and standards;
- Adopt and enforce legislation prohibiting forced evictions and which sets down safeguards which must be complied with prior to any eviction being undertaken, in conformity with international human rights standards, including the UN Basic Principles and Guidelines on Development-Based Evictions and Displacement;
- Urgently strengthen environmental safeguards to ensure that people are protected against pollution of water, air and soil by extractive and manufacturing industries. Increase the technical capacity of the Ministry of Environmental Conservation and Forestry, seeking international cooperation and assistance as necessary, to independently assess and monitor environmental impacts.

The rights to freedom of expression and peaceful assembly

- Immediately and unconditionally release all prisoners of conscience and drop all charges against those who are facing imprisonment solely for the peaceful exercise of their human rights;
- Provide reparations, including rehabilitation and medical, psychological and mental health services and treatment, as well as economic and educational support to former prisoners of conscience and their families;
- Ensure human rights defenders and journalists can carry out their legitimate work in security and without fear of reprisal.

Human rights violations by the security forces

- Ensure prompt, independent, impartial and effective investigations into allegations of human rights violations by members of the security forces; that those suspected of responsibility – including those with command responsibility – are brought to justice in fair trials in an independent, civilian court; and that victims receive reparations.

Business and human rights

- Immediately halt the construction of the Letpadaung mine and suspend the Monywa project until the environmental and human rights concerns linked to the project have been resolved in genuine consultation with all those affected;
- Revoke orders under Article 144 of the Code of Criminal Procedure that are currently operational in the mining areas;
- End forced evictions and ensure that no evictions are undertaken unless all procedural safeguards required under international human rights law have been put in place.

The situation of the Rohingya minority

- Ensure free and unimpeded access to Rakhine States by humanitarian actors, international human rights organizations, journalists, and other key stakeholders;
- End all discrimination in law, policy and practice against ethnic and religious minorities;
- Ensure the Rohingya have equal access to citizenship rights based on objective criteria that comply with the principle of non-discrimination, including by amending the 1982 Citizenship Act;
- Conduct independent, impartial and effective investigations into all incidents of sectarian violence, including the 2012 violence in Rakhine state, and hold to account in fair trials all those suspected of criminal responsibility for violence or for advocating racial or religious hatred

that constitutes incitement to discrimination, hostility or violence.

Conflict in ethnic minority areas

- Immediately put an end to violations of international humanitarian and human rights law – including rape and other crimes of sexual violence – especially against members of ethnic minority groups, and to hold to account all those suspected of criminal responsibility, including those with command responsibility, before independent, civilian courts, in fair trials which do not impose the death penalty.
- Ensure that humanitarian aid organizations have full and unfettered access to all displaced persons throughout the country.

The death penalty

- Commute all death sentences to prison terms and revise all laws that contain provisions for the death penalty to fully abolish it. Pending the revision of these laws, refrain from seeking the death penalty.

Recommendations to the government of Nauru to:

International and regional human rights standards

- Ratify the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and opt-in to the inquiry and inter-state procedures.
- Promptly accede to the International Convention for the Protection of All Persons from Enforced Disappearance without making any reservation, to implement it in national law, and to recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation;
- Adhere to the Agreement on the Privileges and Immunities of the International Criminal Court.

Arms Trade Treaty

- To ratify and implement the Arms Trade Treaty without delay, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights law and international humanitarian law.

National human rights framework

- Incorporate the provisions of human rights instruments to which Nauru is a party including the Convention on Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, into domestic law and implement them in policy and practice;
- Establish without delay, as pledged by the government during the visit by the Subcommittee on Prevention of Torture in May 2015, a national preventive mechanism in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Violence against women

- Amend the Constitution and the Criminal Code to include provisions which specifically protect against sexual and gender-based violence, including threats of violence, as a matter of urgency;
- Provide training to both law enforcement officials and members of the community on eliminating gender based violence.

Children's rights

- Strengthen national laws to include provisions which specifically protect against physical and sexual abuse against children;
- Develop and implement a national child protection framework;
- End mandatory indefinite detention, amounting to arbitrary detention, of children in the Immigration Detention Centre;
- Implement the Convention on the Rights of the Child consistently in law, policy and practice and accede to its Optional Protocols.

Independence of the judiciary, right to a fair trial and access to justice

- Strengthen the independence of the judiciary, including by ensuring that judicial officers cannot be arbitrarily removed from office without due process;
- Seek assistance from the international community to expand and strengthen the legal and judicial sectors, including by improving access to affordable legal advice on civil and criminal matters and ensuring that court cases are not subject to lengthy delays.

Freedom of expression

- Guarantee that individuals who publically disclose information about human rights abuses or criticize the government are not subject to reprisals, including through enacting legislation to expressly protect such individuals, including journalists, politicians, and human rights advocates;
- Immediately reinstate the five suspended Members of Parliament and ensure that they are able to participate fully in parliamentary discussions.

Refugees and asylum seekers

- Immediately review the regional resettlement arrangement with the Australian government with a view to ending offshore processing and offshore detention of asylum seekers;
- Release asylum seekers from detention while their claims are being processed and ensure that their rights to freedom of expression and freedom of movement are respected, with priority given to releasing children and families as soon as possible. In the interim, provide adequate safeguards for the detainees in detention, including reasonable standards of security and hygiene;
- Take immediate steps to ensure that contracted security guards and other staff at the Immigration Detention Centre do not harass, intimidate or physically or sexually assault asylum seekers detained at the Centre;
- Establish a process to ensure the prompt and independent investigation of any allegations of sexual abuse at the Immigration Detention Centre and ensure that alleged perpetrators are charged and prosecuted in accordance with the law;
- Consult with the public and inform them of current refugee legislation and integration policies;
- Work with the UN, other governments in the region, and inter-governmental organizations, such as the Pacific Islands Forum, to ensure a regional approach to the processing and settlement of asylum seekers in the Pacific which meets international human rights laws and standards.

Access to the Immigration Detention Centre

- Respond positively to requests for visits by the Special Procedures, including to the Immigration Detention Centre;
- Ensure free and full access to the Immigration Detention Centre for independent agencies, such as church and community groups, journalists, local, national and international organizations, and to permit them to monitor detention conditions;
- Make public the report by the UN Subcommittee on Prevention of Torture on its May 2015 mission to Nauru.

Recommendations to the government of Nepal to:

International and regional human rights standards

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and subsequently establish an independent and effective National Preventive Mechanism as set out by the Optional Protocol.

Arms Trade Treaty

- Ratify and implement the Arms Trade Treaty without delay, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights law and international humanitarian law.

National human rights framework

- Ensure that the new Constitution provides for protection of human rights in a manner fully consistent with international human rights law and standards.

Impunity for human rights violations

- Investigate all allegations of crimes under international law or human rights violations, both past and present, and, where there is sufficient evidence, prosecute those suspected of committing the crimes before competent, independent and impartial civilian courts, in accordance with international standards;
- Ensure that victims can access effective remedies before the courts, including full and effective reparation;
- Bring the Commission on Investigation of Disappeared Persons, Truth and Reconciliation Act 2014 in line with international law before the Commissioners commence work, including by removing time limits that could inhibit the filing of complaints, ensuring witness protection, and removing provisions that could lead to amnesties being granted to persons suspected of committing crimes under international law;
- Reform the vetting process and reassess current members of the Nepal Army, including those participating in UN peacekeeping missions, to ensure that they are not and have not in the past been implicated in serious human rights violations;
- Accede to the Rome Statute of the International Criminal Court, to implement it in national law, and to ensure that crimes under international law cannot be committed with impunity;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation.

Criminal justice and legal reform

- Introduce new legislation providing appropriate criminal penalties for acts of torture and other ill-treatment;
- Withdraw powers from district-level authorities that permit arbitrary detention.

Role of national statutory bodies in the protection of human rights

- Ensure the effective functioning of the National Human Rights Commission of Nepal in accordance with the Paris Principles, in particular by including guarantees in the appointments process to ensure the adequate representation of civilian society involved in the protection and promotion of human rights.

Enforced disappearances

- Adhere to the International Convention for the Protection of All Persons from Enforced Disappearance, making the declarations set out in Articles 31 and 32 (recognition of the

competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and from other states parties), and to implement it in national law.

Cooperation with international human rights mechanisms

- Accept the repeated requests to visit Nepal by the UN Working Group on enforced or involuntary disappearances, the Special Rapporteur on human rights defenders and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and cooperate fully with the mandate holders;
- Extend a standing invitation to UN Special Procedures;
- Submit overdue reports under the International Convention on the Elimination of All Forms of Racial Discrimination and Convention on the Elimination of All Forms of Discrimination against Women.

Extrajudicial and summary executions

- Ensure prompt, impartial, independent and effective investigations into all cases of willful killings and that all those suspected of being responsible, irrespective of rank, are brought to justice in trials before ordinary civilian courts that meet international standards of fairness.

Excessive use of force by police

- Take all necessary measures to ensure that the police comply with international standards on the use of force, in particular Principle 5 of the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* which states that police officers must exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;
- Ensure prompt, impartial, independent and effective investigations into all cases of excessive use of force by the police, including killings and beatings during protests.

Restrictions on freedom of assembly

- Ensure that the right to freedom of assembly is protected and remove all restrictions placed on the right to peaceful protest;
- Take immediate measures to end the practice of excessive use of force and violence by state forces against the members of the Tibetan and Madhesi communities and others exercising their rights to freedom of expression, association and peaceful assembly.

Arbitrary detention

- Ensure that no person is arrested for peacefully exercising their right to freedom of expression, association or assembly and that all arrests are carried out in accordance with the law and in line with international human rights standards;
- Rescind or reform the Public Security Act so as to remove powers to detain persons in “preventive detention” without charge or trial.

Discrimination

- Adopt a regulatory framework for the Caste and Untouchability Act and ensure its effective implementation;
- Investigate caste-based violence and, where sufficient admissible evidence exists, prosecute those suspected of such crimes;
- Put in place a comprehensive strategy, with concrete goals and timelines, to eliminate patriarchal attitudes and stereotypes that discriminate against women and girls, in line with the 2011 concluding observations of the CEDAW Committee on Nepal;
- Ensure against all forms of discrimination in access to all relief supplies in the post-earthquake reconstruction effort, participation in decisions on reconstruction, and access to effective remedies where human rights violations have occurred.

Violence against women and girls

- Ensure that police provide a safe and confidential environment for women and girls to report incidents of violence, including sexual violence, and that all such complaints are recorded and promptly, impartially and effectively investigated;
- Bring rape laws in line with international standards and remove the 35-day limitation on lodging a complaint of rape with the police.

Human rights defenders

- Respect and protect the right of human rights defenders, especially women human rights defenders, to conduct their work without hindrance, intimidation or harassment in line with the UN Declaration on Human Rights Defenders.

Gender discrimination and uterine prolapse

- Establish a comprehensive strategy to prevent uterine prolapse, including steps to ensure that women and girls know and understand their rights and to address the underlying gender discrimination to enable women and girls to take control over their lives and make reproductive choices.

Migration-related human rights abuses

- Investigate government officials and civilians complicit in forging documents for the purposes of migrant work by children under 16 and to initiate a more rigorous system of screening minors requesting passports.

Trafficking in persons

- Ratify and implement the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- Include trafficking in persons and related offences as crimes in the Criminal Code and ensure that the legal definition of trafficking is in line with international standards;
- Thoroughly investigate trafficking-related offences and, where there is sufficient admissible evidence, prosecute those suspected of the crimes in fair trials;
- Take all necessary measures to prevent incidents of trafficking, particularly in the post-earthquake situation.

Human rights protection in the post-earthquake situation

- Ensure those who need relief continue to receive it, particularly the most marginalized communities;
- Protect and promote all human rights of those affected by the earthquake, including marginalized groups, including the rights to adequate housing, livelihood, recognition under law, health, food, water and sanitation, education, information, and freedom of movement, including protection against forced relocation of displaced persons.

Recommendations to the government of Oman to:

International and regional human rights standards

- Ratify the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and to opt-in to the inquiry and inter-state procedures;
- Ratify without reservations the International Covenant on Civil and Political Rights and its two Optional Protocols, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol – all without reservations and to implement these treaties in national law;
- Review current ratifications with a view to withdrawing those reservations that are considered by the treaty bodies to be contrary to the object and purpose of the treaty;

- Ratify the Rome Statute of the International Criminal Court, signed on 20 December 2000, and implement it in national law;
- Adhere to the Agreement on the Privileges and Immunities of the International Criminal Court;
- Accede to the International Convention for the Protection of All Persons from Enforced Disappearance without making any reservation and implement it into national law, and to recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation, and to implement it in national law.

Arms Trade Treaty

- Ratify and implement the Arms Trade Treaty without delay, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights law and international humanitarian law.

The death penalty

- Establish an official moratorium on executions with a view to abolishing the death penalty, as called for in five UN General Assembly resolutions, including most recently resolution 69/186 of 18 December 2014;
- Commute, without delay, all death sentence to terms of imprisonment;
- Ensure full compliance with international standards for fair trials in all death penalty cases;
- Ensure that the death penalty is not under any circumstances imposed in violation of the guarantees provided for in Article 6 International Covenant on Civil and Political Rights.

Freedom of expression, association and peaceful assembly

- Immediately and unconditionally release all prisoners of conscience, including former Shoura Council member, Talib al-Ma'amari (if he continues to be held at the time of the UPR) and others detained solely for peacefully exercising their human rights; and to promptly charge all other detainees with a recognizable criminal offence according to international law and bring them to trial in accordance with international standards for fair trial, or else to release them;
- Ensure that no one is arbitrarily arrested or detained for peacefully exercising their rights, including to freedom of expression, and that arrests are carried out in strict accordance with the law;
- To guarantee that all individuals, including human rights defenders, journalists and users of online social media platforms, who peacefully express criticism of the political system, are able to freely exercise their rights to freedom of expression, association and peaceful assembly without fear of arrest, detention, harassment or intimidation, including the imposition of administrative travel bans or other unlawful restrictions on their rights to freedom of movement or association;
- Remove legal provisions unlawfully restricting the peaceful exercise of the rights to freedom of expression, association and peaceful assembly, including by amending the Penal Code (in particular Articles 126, 135 and 173) and the Press and Publications Law and the Cyber Crime Law to bring them into line with international human rights law and standards, and to ensure that they do not infringe on the peaceful exercise of the rights to freedom of expression, association and assembly, both online and offline;
- Fully and effectively implement the recommendations by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, following his mission to Oman in September 2014.

Torture and other ill-treatment

- To ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol;
- To end the practice of incommunicado detention;
- To establish independent procedures to ensure that all allegations of torture or other ill-treatment by state officials are investigated promptly, thoroughly, impartially and independently; that any officials responsible for torture or other ill-treatment, including those who instigate, order, inflict or acquiesce to it, are held to account; and that any persons subjected to torture or other ill-treatment have the right to remedy and reparations, including appropriate compensation.

Recommendations to the government of Rwanda to:

International human rights standards

- Take all necessary steps to domesticate the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to which it acceded on 30 June 2015;
- Accede to the International Convention for the Protection of All Persons from Enforced Disappearance and to recognise the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties, as provided in Articles 31 and 32 of the Treaty;
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Promptly accede to the Rome Statute of the International Criminal Court and to implement it in national law;
- Adhere to the Agreement on the Privileges and Immunities of the International Criminal Court;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation, and implement it in national law;
- Respond positively and without further delay to the request for a country visit by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.

Torture and other ill-treatment

- Ensure that international and national human rights organizations have unhindered access to all detention facilities and are able to interview detainees in private;
- Ensure that any statement obtained by torture or other ill-treatment is inadmissible in any proceedings, except in proceedings against a person accused of torture or other ill-treatment as evidence that the statement was made.

Right to a fair trial

- Protect the right to the presumption of innocence and to refrain from making public statements regarding individuals' culpability prior to sentencing.

Arms Trade Treaty

- Ratify and implement the Arms Trade Treaty without delay, with particular attention to measures to prevent the diversion and illicit trafficking of all types of conventional arms and effectively implementing Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights law and international humanitarian law.

Recommendations to the government of St. Kitts and Nevis to:

International human rights standards

- Ratify without making any reservation and implement into national law the International Covenant on Civil and Political Rights and its Optional Protocols, the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and to opt-in to the inquiry and inter-state procedures, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, and the Agreement on the Privileges and Immunities of the International Criminal Court;
- Act on commitments made during its 2011 UPR to ratify the Optional Protocols to the Convention on the Rights of the Child, on children in armed conflict and on the sale of children, child prostitution and child pornography, at the earliest possible time.

The death penalty

- Repeal all provisions in domestic law allowing for the death penalty and to establish an official moratorium on executions with a view to abolishing the death penalty, as called for in five UN General Assembly resolutions, including most recently resolution 69/186 of 18 December 2014;
- Commute current death sentence to terms of imprisonment;
- Pending abolition of the death penalty, to ensure rigorous application of international and regional standards for fair trial in all death penalty cases;
- Support calls to abolish the death penalty nationally and internationally, including by voting in favour of future UN General Assembly resolutions on a moratorium on the use of the death penalty.

Recommendations to the government of St. Lucia to:

Ratification of regional and international human rights treaties

- Implement in full the recommendations accepted during its first UPR to ratify the International Covenant on Civil and Political Rights and its Optional Protocols, the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and opt-in to the inquiry and inter-state procedures, and the Convention on the Rights of Persons with Disabilities;
- Ratify without making any reservation the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; the International Convention for the Protection of All Persons from Enforced Disappearance (recognizing the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties); the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity and the Agreement on the Privileges and Immunities of the International Criminal Court and implement them into national law;
- Seek the assistance of the Office of the High Commissioner for Human Rights in overcoming any obstacles in ratifying international human rights treaties and ensuring full compliance with its international human rights obligations.

Discrimination against lesbian, gay, bisexual, transgender and inter-sex persons

- Repeal all laws and legal provisions, including in the Criminal Code, prohibiting and punishing same-sex sexual relations between consenting adults;
- Include in national legislation, including as part of the review of the Constitution, sexual orientation and gender identity as prohibited grounds of discrimination, and to establish and implement policies and initiatives to address discrimination based on sexual orientation or gender identity, in particular in the workplace;

- Engage with civil society organizations working on behalf of lesbian, gay, bisexual, transgender and intersex persons to implement human rights education and anti-discrimination awareness-raising programs.

The death penalty

- Repeal all provisions in domestic law allowing for the death penalty;
- Establish an official moratorium on executions with a view to abolishing the death penalty, as provided by five UN General Assembly resolutions, including most recently UN General Assembly resolution 69/186 of 18 December 2014;
- Support calls to abolish the death penalty nationally and internationally, including by voting in favour of future UN General Assembly resolutions on a moratorium on the use of the death penalty;
- Ratify without making any reservations the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.