



Suggested recommendations to the 16 States in the fourth round of reviews under the Universal Periodic Review

February 2009

Recommendations to the government of Azerbaijan

International Criminal Court

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

Recommendations to the government of Bangladesh

Arbitrary arrests and unfair trials

- To end arbitrary arrests and detentions, repeal or amend all laws allowing such acts, and ensure that all individuals detained are charged with a recognizable criminal offence and brought promptly before a court or released. All people deprived of their liberty should be informed promptly of the reasons for their detention and provided the opportunity to challenge the legality of their detention in court, and should be granted access to a lawyer, their family and to medical assistance;
- To end *incommunicado* detention, including under Section 54 of the Code of Criminal Procedure;
- To suspend the use of the 1974 Special Powers Act and take steps towards its repeal.

Torture, other ill-treatment, and extrajudicial executions

- To immediately end all torture, other ill-treatment and extrajudicial executions, including by clarifying that no such acts will ever be tolerated, that all such acts will be thoroughly investigated and that suspected persecutors, including those with chain of command responsibility, will be prosecuted;
- To ensure the right of victims of torture, other ill-treatment and extrajudicial executions to reparations in accordance with international standards, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Impunity for human rights violations

- To end impunity for human rights violations by security and armed forces, including by ensuring prompt, impartial and effective investigations into all alleged human rights violations by military

AMNESTY INTERNATIONAL

personnel and the Rapid Action Battalion (RAB) and bringing the perpetrators to justice. Allegations of human rights violations by military personnel against civilians should be investigated by a civilian court, and the victims of such violations must be granted reparations in accordance with international standards;

- To repeal laws granting immunity from prosecution to law enforcement personnel, including Section 13 of the Armed Police Battalion Ordinance.

International Criminal Court

- To ratify the Rome Statute of the International Criminal Court, signed on 16 September 1999, and implement it in national law;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and implement it in national law.

Recommendations to the government of Cameroon

International Criminal Court

- To ratify the Rome Statute of the International Criminal Court, signed on 17 July 1998, and to implement it in national law;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and implement it in national law.

Recommendations to the government of Canada

International human rights instruments

- To ratify the Convention on the Protection of the Rights of all Migrant Workers and Members of their Families; the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of Persons with Disabilities; and the Convention on the Protection of All Persons from Enforced Disappearances;
- To support domestic and international application of the Declaration on the Rights of Indigenous Peoples.

Implementation of international human rights obligations

- To develop a transparent, accountable and coordinated inter-governmental process for implementing international human rights obligations;
- To consistently provide data about human rights protection disaggregated by gender, Indigenous identity and other vulnerability.

Extra-territorial protection of human rights

- To recognize jurisdiction of courts to enforce extra-territorial application of human rights obligations;
- To adopt the recommendations from the report of the Advisory Group to the National Roundtables on Corporate Social Responsibility and the Canadian Extractive Industry.

Indigenous Peoples

- To develop a national strategy for addressing violence against Indigenous women;
- To ensure that governments across Canada, in full collaboration with Indigenous peoples, revise natural resource laws and policies to recognize and protect Indigenous rights;

- To work with governments across Canada towards national implementation of recommendations from the Ipperwash Inquiry;
- To ensure equitable funding for Indigenous child and family services agencies.

Refugees and Migrants

- To suspend operation of Canada/US Safe Third Country refugee agreement until associated human rights concerns are addressed;
- To establish the Refugee Appeal Division of the Immigration and Refugee Board;
- To reform Canadian law to provide absolute protection against *refoulement* to torture;
- To reform Canadian law to better protect the rights of victims of trafficking;
- To review and reform Canadian law to ensure full protection of rights of all migrant workers.

Human Rights and Counter-Terrorism

- To reform immigration security certificate system to meet international fair trial standards;
- To suspend prisoner transfers in Afghanistan until concerns about torture are adequately addressed;
- To seek the repatriation of Omar Khadr from Guantánamo Bay;
- To implement outstanding recommendations from public inquiry into case of Maher Arar.

Administration of Justice

- To impose a moratorium on use of tasers and similar devices in Canada until an independent, comprehensive and rigorous study is conducted;
- To reinstate policy of seeking clemency on behalf of all Canadian citizens sentenced to death in other countries;
- To establish an independent oversight body for federally-sentenced women prisoners, including a process for adjudication of decisions related to involuntary segregation;
- To adopt a policy preferring prosecution to deportation with respect to individuals accused of committing international crimes subject to universal jurisdiction;
- To amend State Immunity Act to allow civil suits involving crimes that are subject to universal jurisdiction.

Protecting Economic, Social and Cultural Rights

- To support legal enforcement of economic, social and cultural rights in domestic courts;
- To ratify Optional Protocol to the International Covenant on Economic, Social and Cultural Rights if adopted by UN General Assembly;
- To add “social condition” as a prohibited ground of discrimination in Canadian Human Rights Act;
- To develop a comprehensive national plan of action to address poverty across Canada.

Recommendations to the government of China

The death penalty

- To publish full national statistics on death sentences imposed and executions, disaggregated by type of crime, region, sex, income, and other categories;
- To reduce the scope of crimes subject to the death penalty, including eliminating all non-violent crimes currently subject to the death penalty;
- To provide more detailed information on the procedures for the Supreme People’s Court review of death penalty cases, including the number of courts carrying out such reviews, recommended

procedures for the review of evidence, the procedures for training judges to carry out the reviews, and nation-wide statistical data regarding the results of such reviews, including rates at which death sentences are upheld or returned for retrial, broken down by region, type of crime, and other categories;

- To ensure that the rights of defendants whose cases are being reviewed are upheld and meet international standards, including the right to prompt access to a lawyer, to regular family visits, to a presumption of innocence and the inadmissibility of confessions extracted under torture;
- To provide a time-table of concrete reforms relating to the death penalty, including publication of full national statistics regarding death sentences imposed and executions, reduction of the scope of crimes subject to the death sentence, and declaration of a moratorium on executions in line with UN General Assembly resolutions 62/149 of 18 December 2007 and 63/168 of 18 December 2008.

Detention without trial

- To bring all administrative detention laws and provisions into line with international human rights law and standards, including Articles 9 and 14 of the International Covenant on Civil and Political Rights. In particular, to ensure that those arrested and accused of offences punishable with deprivation of personal liberty are afforded all due process rights, including the rights to a fair and public trial by a competent, independent and impartial tribunal, access to legal counsel of one's choosing, the presumption of innocence, and the opportunity to appeal their sentence through a process of judicial review;
- To transfer all powers to impose imprisonment as a punishment from the police to the courts. To introduce institutional reforms to ensure that courts are competent, independent and impartial and carry out proceedings in accordance with international fair trial standards;
- In order to comply with international standards, to abolish the system of "Re-education through Labour" as it currently operates, and to shut down all other types of administrative detention facilities, including "black jails", that deprive individuals of their liberty without due process.

Torture and other ill-treatment

- To implement in full all recommendations of the UN Committee against Torture and the Special Rapporteur on Torture. These include revision of China's legal codes, including the Criminal Law and the Criminal Procedure Law, to bring these in line with the Convention against Torture, and making inadmissible evidence obtained through torture; strengthening the right of detainees to prompt access to legal counsel and to regular family visits; and bringing the definition of torture into line with international standards, including inclusion of mental torture as a form of torture;
- To end the impunity enjoyed by officials who engage in torture and other ill-treatment by making institutional reforms necessary to ensure effective implementation of existing laws prohibiting torture;
- To ensure that law enforcement officials, medical personnel, investigators and other personnel involved in the custody, interrogation or treatment of detainees receive appropriate training regarding the prohibition of torture.

Freedom of expression

- To release all prisoners of conscience and all those detained solely for peacefully exercising their rights to freedom of expression, including Yang Tongyan, Hu Jia, Liu Xiaobo and Liu Jie;
- To cease censorship of the Internet and other media and to fulfil the right to freedom of expression guaranteed in China's Constitution;
- To extend to Chinese journalists media regulations introduced in January 2007 granting greater freedoms to foreign journalists;

- To review criminal and administrative legislation to ensure that all offences are clearly and narrowly defined, including in particular all offences relating to “state security” and “state secrets”;
- To exclude from punishment any act undertaken in peaceful pursuit of fundamental human rights, including the rights to peaceful assembly and association and the rights to freedom of expression and opinion, as provided in the International Covenant on Civil and Political Rights and other international standards.

International Criminal Court

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

Recommendations to the government of Cuba

National legislation and institutions

- To eliminate from the Criminal Code provisions regarding “*dangerousness*” and all other provisions that might contribute to arbitrary arrest and detention;
- To create an independent mechanism of accountability to ensure all state institutions, including the security services, respect human rights;
- To reform laws, regulations and administrative practices relating to freedom of expression, association and assembly in accordance with international standards.

Unfair trials

- To provide full judicial guarantees, in accordance with international human rights standards, to ensure that all detainees have access to a fair trial, including the right to be heard by an independent tribunal and immediate access to a lawyer of their choice;
- To undertake a judicial review of all the sentences and cases where there is evidence that the fundamental right to a fair trial has been violated, ensure that a thorough and impartial retrial takes place and victims have access to reparation.

Ratification of international human rights standards

- To ratify without reservations the International Covenant on Civil and Political Rights, including its two Optional Protocols, and the International Covenant on Economic, Social and Cultural Rights.

Prisoners of conscience

- To immediately release all prisoners of conscience and all others detained or imprisoned solely for the peaceful exercise of their rights to freedom of expression, association and assembly.

Harassment and intimidation of dissidents and human rights defenders

- To cease the harassment, intimidation and persecution of human rights defenders, independent journalist and political dissidents who exercise their rights to freedom of expression, assembly and association, and to grant legal status to their organizations;
- To uphold rights pertaining to the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms to ensure that human rights defenders are able to carry out their legitimate work freely and without fear of reprisals.

The death penalty

- To abolish all the provisions in legislation which provide for the death penalty

International human rights monitoring

- To permit international government and non-government human rights bodies to visit the country to independently investigate violations of international human rights, to facilitate its operation and to consider its recommendations.

International Criminal Court

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

Recommendations to the government of Djibouti

International Criminal Court

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

Recommendations to the government of Germany

International human rights instruments

- To ratify the Convention for the Protection of All Persons from Enforced Disappearance without reservations and to implement it including by ensuring that the crime of enforced disappearance is codified as a criminal offence in national law, as required by Article 4 of the Convention;
- To formally acknowledge the full applicability of the International Covenant on Civil and Political Rights to persons subject to its jurisdiction in situations where its troops or police forces operate abroad and to adjust accordingly training provided for members of its security forces deployed internationally.

Human rights violations in the context of counter-terrorism

- To refrain from relying on diplomatic assurances, which are in effect an attempt to circumvent the absolute prohibition of torture and other ill-treatment and the use of which undermines international protection against *refoulement*;
- To instruct German intelligence agents and law enforcement services to refuse to participate in any way in the questioning of suspects unlawfully detained and/or at risk of other serious human rights violations, including torture or other ill-treatment;
- To put in place effective measures to ensure that its territory is not used by another state to expose anyone to torture or other ill-treatment, arbitrary detention, or enforced disappearance.

Protection of the rights of refugees and asylum-seekers

- To repeal Section 4 (2) of the Asylum Procedure Act;
- To review and revise its present position on FRONTEX Operations and accept the extra-territorial application of human rights obligations, wherever it exercises its jurisdiction or effective control, including in joint operations with other states;
- To review and revise its application of Section 73(1) of the Asylum Procedure Act so as to take into account in all refugee circumstances whether effective protection is available, including taking into consideration situations of generalized violence, insecurity and lack of livelihood;
- To abide by UNHCR guidelines and recommendations and not return failed asylum-seekers to countries where they are at risk of *incommunicado* detention, torture and other ill-treatment.

Protection of the rights of migrants

- To ensure that access to primary health care, education and judicial authorities is not affected by measures against irregular migration;
- To immediately repeal the law requiring all state authorities to report to the aliens' authority the identity of all irregular migrants (section 87 para.2 of the Residence Act);
- To ensure that fundamental human rights norms are adhered to and that all migrants, regardless of their legal status, are treated with dignity, in particular that legislation aimed at controlling irregular migration does not effectively deny or prevent migrants from accessing other international human rights, including access to education, health care and an effective remedy or redress for human rights violations;
- To sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Recommendations to the government of Jordan

Torture and other ill-treatment in detention

- To officially and publicly condemn all acts of torture and other ill-treatment, and to declare that any official committing, ordering, instigating, consenting or acquiescing to such acts will be brought to justice;
- To establish a system of regular, unannounced and unrestricted visits by independent national bodies to all places of detention and their facilities in order to monitor the treatment of detainees and their conditions of detention;
- To make public the names of individuals transferred into Jordanian custody from US custody, or via the assistance of US or other intelligence and security services, and vice versa. The dates and locations of the individuals' detention in Jordan should be provided, as well as the legal basis for their detention.

Violence and discrimination against women

- To amend Article 98 of the Penal Code and to modify or repeal other discriminatory provisions of the Personal Status Act, Penal Code and Nationality Act;
- To amend the Labour Code so that it clearly covers domestic work and guarantees labour rights to migrant domestic workers;
- To improve monitoring of recruitment agencies and working conditions, and to ensure that employment contracts are enforced;
- To ensure that employers and representatives of recruitment agencies who abuse migrant domestic workers are brought to justice.

International Criminal Court

- Ratify the Agreement on the Privileges and Immunities of the International Criminal Court, signed on 28 June 2004 and implement it in national law.

Recommendations to the government of Malaysia

Protection of human rights in national legislation

- To repeal or reform laws allowing for administrative detention, renewable indefinitely, such as the Internal Security Act, the Emergency Public Order Preventive Ordinance, and the Dangerous Drugs (Special Preventive Measures) Act 1985, to ensure that they meet international human rights standards;

- To repeal, in particular, all provisions allowing administrative detention in the name of “national security” or similar grounds;
- To amend the Sedition Act 1948 (revised 1969) to ensure that it conforms with international human rights standards and cannot be used to violate the right to freedom of expression;
- To review and reform the Printing Press and Publications Act 1984 and the Official Secrets Act 1972 to ensure that clauses containing vague or ambiguous language do not curtail the rights to freedom of the press and freedom of information;
- To amend the Police Act to ensure that its 1987 amendments, which require police permits for all public assemblies of three or more persons, do not violate the right to peaceful assembly;
- To review, with the view to reforming, Article 149 of the Federal Constitution, which has allowed Parliament to pass laws such as the Internal Security Act 1960 (ISA), the Dangerous Drugs (Special Preventive Measures) Act 1985 (DDA), the Official Secrets Act 1972 (OSA), the Printing Presses and Publications Act 1984 (PPPA), the Sedition Act 1948 (revised 1969) and Universities and University Colleges Act 1971, which suspend an individual’s human rights if Parliament believes that the person is a threat to national security or public order, notwithstanding that this conflicts with other articles of the Federal Constitution;
- To ratify core treaties such as the International Covenant on Civil and Political Rights and its Optional Protocols, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social, and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention on the Protection of All Persons from Enforced Disappearance and other international instruments such as the Rome Statute of the International Criminal Court and the Conventions relating to the Status of Refugees and Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

Reform of national human rights institution

- To amend Section 2 of Act 597 which created the National Human Rights Commission of Malaysia (SUHAKAM), to widen its jurisdiction to cover all rights in the Universal Declaration of Human Rights;
- To ensure that SUHAKAM’s reports are periodically discussed and debated in Parliament, with a view to improving the protection of human rights in Malaysia, and in accordance with SUHAKAM’s stated function of advising and assisting the government in formulating legislation and procedures, inquiring into allegations of human rights violations, and recommending to the government accession to treaties and other international human rights instruments;
- To ensure, through legislation, the independence of the National Human Rights Commission in accordance with the Paris Principles.

The death penalty

- To immediately impose a moratorium on executions, with a view to complete abolition of the death penalty, as provided by UN General Assembly resolution 62/149, adopted on 18 December 2007, and reiterated by UNGA resolution 63/168 adopted on 18 December 2008;
- To commute without delay all death sentences;
- To lift the veil of secrecy surrounding the death penalty, including by making public detailed information about the imposition and carrying out of executions, and about those being executed.

Policing Reform, torture and cruel, inhuman or degrading treatment or punishment

- To implement in full the recommendations regarding human rights protection made by the Royal Commission to Enhance the Operation and Management of the Royal Malaysia Police, including

by establishing an independent and impartial police oversight body and clearly defining the role of the Police Special Branch;

- To abide by the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, including the use of force only as a last resort, subject to necessity and proportionality;
- To ensure the protection of the rights of detainees not to suffer human rights violations, in particular torture and other ill-treatment, by implementing fully international legal and other standards on the prevention of such acts, effective investigation into violations, prosecution of suspected perpetrators (including those with command responsibility) and reparations for victims.

Discrimination based on sexual orientation or identity

- To repeal or reform Articles 377A and 377B of the Penal Code, to ensure that they do not discriminate against lesbians, gays, bisexuals and transsexuals.

International Criminal Court

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

Recommendations to the government of Mauritius

International Criminal Court

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

Recommendations to the government of Mexico

Human rights legislation:

- To ensure that the obligation to comply with the provisions of international human rights treaties, to which Mexico is a party, is explicitly incorporated into the federal Constitution and to accelerate the harmonization of federal and state law with international human rights standards, including the Rome Statute;

Human rights institutions

- To establish a timetable, resources and mechanisms for the implementation the National Human Rights Program at federal, state and municipal levels and to ensure substantive civil society involvement in the identification of progress indicators and effective and timely evaluation of the program's impact;
- To review and reform the recent Public Security legislation in order to establish a credible, independent and effective police complaints commission to investigate allegations of human rights violations committed by police officers at federal, state and municipal levels;
- To strengthen the autonomy and effectiveness of the network of human rights commissions in order that they can adequately report on, investigate and follow up on human rights violations in line with international human rights standards.

Public security

- To publish the number of cases of serious human rights violations, such as arbitrary detention, torture, ill-treatment, and unlawful killings in which federal, state and municipal officials are implicated, prosecuted and convicted, regardless of information presented by the National Human Rights Commission;

- To ensure that all police and security forces involved in policing operations are trained in the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and held to account according to these standards;
- To ensure that military personnel accused of human rights violations are investigated and tried in the civilian courts, including those accused of rape of indigenous women, as recommended by UN and Inter-American human rights mechanisms.

Torture and other serious human rights violations

- To undertake an independent review of the impact of recent initiatives to combat torture and other serious human rights violations, such as the creation of human rights units in all major security and justice institutions, as well as procedures and training for the investigation of allegations of torture;
- To establish independent, impartial, effective and well-trained police/prosecutor task forces with legal authority to investigate allegations of serious human rights violations in line with international human rights standards.

Human rights defenders and social activists

- To ensure that human rights defenders and social activists can carry out their legitimate activities without fear of reprisals, including by effectively and impartially investigating all reports of threats and harassment and by holding those responsible to account;
- To institute credible mechanisms to protect those at risk, ensuring that such mechanisms do not involve authorities suspected of involvement in harassment;
- To ensure that defenders and social activists are not subject to unfair criminal proceedings and that those responsible for such misuse of the criminal justice system are held to account.

Violence against women

- To effectively implement and evaluate federal and state legislation to protect women from violence, including harmonization of state legislation with international standards and concrete steps by the National System for the Prevention and Punishment of violence against women to improve reporting and investigation of gender-based violence;
- To ensure that women are able to file complaints of gender violence in a safe environment and that prompt, impartial and effective investigations are conducted to ensure that the perpetrators are held to account;
- To adequately fund and enforce protection measures for women at risk of violence, including through increased financial support and training for emergency police response units and refuges.
- To strengthen measures to prevent and punish gender-based murders of women, such as the pattern of violence against women in Ciudad Juarez and Chihuahua City, in line with the recommendations of CEDAW and other UN bodies, including by holding officials accountable for negligent investigations.

Impunity for human rights violations

- To ensure that victims of grave human rights violations committed in the 1960s,70s and 80s, and their relatives, have access to truth, justice and reparations;
- To remove interpretive clauses and reservations from the ratification of international human rights treaties;
- To ensure federal and state authorities take action to end impunity for serious human rights violations committed in Guadalajara, Jalisco State in May 2004, San Salvador Atenco in Mexico State in May 2006 and Oaxaca City throughout 2006, in order that those responsible are brought to justice and that victims and relatives receive adequate reparations.

- To establish effective mechanisms to prevent and punish human rights violations committed against irregular migrants by state and non-state actors.

Indigenous and rural communities

- To ensure that local communities, particularly indigenous and other marginalized communities, affected by planned economic or development projects are adequately and fairly consulted.

International Criminal Court

- To enact legislation implementing the Rome Statute of the International Criminal Court in accordance with international law.

Recommendations to the government of Nigeria

Torture, ill-treatment and extrajudicial executions

- To bring to justice all police officers or other law enforcement officials suspected of being responsible for acts of torture or other ill-treatment or for extrajudicial executions, in accordance with international standards for fair trial;
- To complete the process of developing and adopting legislative measures to prevent, prosecute and punish acts of torture and other ill-treatment, in line with international standards;
- To ratify the Optional Protocol to the Convention against Torture.

Human rights violations in the Niger Delta

- To protect all people against human rights abuses by armed groups and gangs and to ensure that suspected perpetrators are brought to justice, in accordance with international standards for fair trial.

The death penalty

- To establish a moratorium on executions with a view to abolishing the death penalty, as provided by UN General Assembly resolution 62/149, adopted on 18 December 2007, and reiterated by resolution 63/168, adopted on 18 December 2008;
- To commute without delay all death sentences;
- To refrain from extending the scope of the death penalty to include crimes such as kidnapping.

Criminal justice system

- To take effective steps to ensure prompt and fair trials for those accused of a criminal offence, in compliance with international standards for fair trial and to end impunity for human rights violations;
- To take all necessary steps to ensure that those awaiting trial are able to effectively exercise their right to promptly challenge the lawfulness of their detention in court, and to have a prompt and fair trial;
- To ensure that the UN Standard Minimum Rules for the Treatment of Prisoners are respected in all prison facilities;
- To ratify the First and Second Optional Protocols to the International Covenant on Civil and Political Rights.

Discrimination and violence against women

- To implement in full its expressed commitment to prohibit all forms of violence against women and girls in law and in practice and to repeal all laws that allow violence and discrimination against women to persist;

- To incorporate the provisions of the Convention on the Elimination of All Forms of Discrimination against Women in national legislation.

Discrimination against lesbian, gay, bisexual and transgender people

- To repeal all legislation which could directly or indirectly result in the discrimination, prosecution or punishment of people solely because of their sexual orientation or gender identity.

Forced evictions

- To take effective measures to guarantee adequate standards of living throughout the country;
- To take steps to ensure that everyone has security of tenure and protection against forced eviction;
- To ensure effective access to legal remedies for those affected by forced evictions, in accordance with international human rights law and standards.

International Criminal Court

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

Recommendations to the government of Russia

North Caucasus

- To take immediate and effective measures to end arbitrary detentions, enforced disappearances, secret detention, torture and other ill-treatment and extra-judicial executions, including by ensuring such violations are fully investigated and that those reasonably suspected of being responsible for human rights abuses are brought to justice in trials which meet international standards of fair trial;
- To sign and ratify the UN Convention for the Protection of All Persons from Enforced Disappearance.

Human rights defenders in the North Caucasus

- To respect and protect the right of human rights defenders and lawyers to conduct their work without hindrance, intimidation or harassment, in line with the UN Declaration on Human Rights Defenders and the UN Basic Principles on the Role of Lawyers;
- To ensure that violations of the rights of journalists, human rights defenders and independent civil society activists are investigated fully, promptly and impartially. Anyone found responsible for such violations should be brought to justice in a trial which meets international standards of fairness.

Torture and other ill-treatment in police custody

- To respect the obligations under international human rights treaties to protect the right of those in detention to be free from torture or other ill-treatment, including by ensuring access to legal counsel at all stages of the criminal investigation, access to a doctor of their choice, for relatives to be notified of the detention, and for detainees to be brought promptly before a judge;
- To ensure that the Investigation Committee under the Office of the Prosecutor develops standards for ensuring that investigations are independent, effective, prompt, and impartial, and that investigators are trained in how to investigate allegations of torture or other ill-treatment;
- To sign and ratify the Optional Protocol to the UN Convention against Torture.

Violence against women in the family

- To enact and enforce laws which recognize violence against women in the family as a distinct and serious crime;
- To encourage and enable cooperation between government bodies and NGOs to develop effective and sustainable mechanisms to protect women from violence in the family;
- To protect victims of violence against women in the family, including by providing access to shelters where they can be protected from abuse, and protect witnesses and others at risk of intimidation and reprisals during investigations and prosecutions.

Freedom of expression, assembly and association

- To ensure respect for the rights to freedom of expression, assembly and association, as enshrined in the European Convention on Human Rights and the International Covenant on Civil and Political Rights;
- To institute an urgent review of the NGO law and its implementation;
- To ensure that the law to combat extremist activities is not used arbitrarily and that its implementation does not lead to restrictions of the right to freedom of expression;
- To protect and promote the right to freedom of assembly, including of those who may wish to express dissenting views during peaceful demonstrations.

Violent racism

- To state clearly that racism and xenophobia will not be tolerated;
- To ensure that crimes which are reasonably believed to be racially motivated are classified, and effectively and thoroughly investigated and prosecuted as such.

Fair trial

- To respect the right to a fair trial in all cases without discrimination, including by ensuring the independence of the courts from the executive and access to effective legal assistance for all in the criminal justice system.

Conflict in Georgia

- To investigate all alleged violations of human rights and international humanitarian law, including any war crimes committed by Russian forces in Georgia independently, impartially, promptly and thoroughly and to bring those responsible for such crimes to justice in accordance with international fair trial standards;
- To provide redress, including compensation, to victims of human rights violations and war crimes.

International Criminal Court

- To ratify the Rome Statute of the International Criminal Court, signed on 13 September 2000, and to implement it in national law;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law.

Recommendations to the government of Saudi Arabia

Human rights framework

- To implement without delay the new legal and judicial reforms and revise their weak provisions so that they are brought into line with international human rights standards.

Detainees and prisoners of conscience

- To release all prisoners of conscience unconditionally and without delay;
- To charge all other detainees with a recognizable criminal offence according to international law and to bring them to trial in accordance with international standards or release them.

Torture and other ill-treatment

- To end the practice of *incommunicado* detention;
- To end the practice of corporal punishment;

- To ensure that all allegations of torture and other ill-treatment are thoroughly and impartially investigated, that alleged perpetrators are prosecuted, and that any statement that may have been extracted under torture is not used as evidence in the criminal proceedings.

Discrimination against women

- To speed up undertakings made to the CEDAW Committee in January 2008 to tackle discrimination against women, including the enactment and implementation of laws protecting women from violence;
- To ensure the full implementation of recommendations issued by the CEDAW and CERD Committees.

The death penalty

- To establish a moratorium on executions with a view to abolishing the death penalty, as provided by UN General Assembly resolution 62/149, adopted on 18 December 2007, and reiterated by UNGA resolution 63/168 adopted on 18 December 2008;
- To review the cases of all prisoners currently under sentence of death with the aim of commuting their sentences or offering them a new and fair trial without resort to the death penalty;
- To bring the law and judicial practices into line with fair trial guarantees in international standards.

International human rights obligations

- To ratify without reservations the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and to review all reservations and declarations that limit the enjoyment of rights enshrined in the Convention on the Rights of the Child, the International Convention on the Elimination of all Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women, with a view to lifting them, especially those that are contrary to the objects and purposes of the treaties.

International Criminal Court

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

Recommendations to the government of Senegal

Torture, ill-treatment and death in detention

- To develop and adopt measures to prevent, prosecute and punish acts of torture and ill-treatment, in line with international standards;
- To promptly, impartially and effectively investigate all complaints and reports of torture or other ill-treatment. Those responsible for torture or other ill-treatment should be brought to justice.

Freedom of expression, association and assembly

- To take concrete and effective measures to protect the rights to freedom of expression and assembly;
- To ensure that law enforcement officials are fully trained and equipped to maintain public order without resort to excessive force, with any breaches vigorously and independently investigated.

Harassment and arrest based on sexual orientation

- To respect, protect, and fulfill the human rights of all persons, without discrimination of any kind;
- To review national legislation which results in the discrimination, prosecution and punishment of people solely for their sexual orientation or gender identity. This includes reviewing the law explicitly criminalizing consensual sexual conduct between people of the same sex;
- To immediately and unconditionally release all prisoners of conscience held solely on the basis of their actual or imputed sexual orientation or gender identity;
- To end incitement to discrimination, hostility or violence against individuals on the basis of their real or perceived engagement in consensual same-sex sexual acts or practices and/or their gender identity, in accordance with the international standards prohibiting advocacy of hatred and discrimination.

International Criminal Court

- To ratify the Agreement on the Privileges and Immunities of the International Criminal Court, signed on 19 September 2002, and to implement it in national law.

