

Summaries of Proceedings of Human Rights Monitoring Bodies (*Covering the Period August 2018–September 2019*)

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Universal Periodic Review (UPR)

Afghanistan (Report of the Working Group on the Universal Periodic Review, A/HRC/41/5, 3 April 2019 and Addendum A/HRC/41/5/Add.1, 18 June 2019)

The Head of the Afghan delegation underlined the importance of the UPR system and reiterated Afghanistan's commitment towards the principles of human rights. In the State's report, Afghanistan underlined the steps taken to develop a strategy aimed to ensure transparency and accountability. Among these measures, Afghanistan had adopted a new Penal Code aimed, inter alia, to limit the use of death penalty and to provide protection against arbitrary detention and honour killings. Notably, some recommendations concerned the abolition of death penalty. Moreover, the State's report focused on the efforts undertaken by the country to increase women's participation in the public sphere and counter gender-based violence and discrimination. With regard to human rights treaties, Afghanistan reported that it had incorporated provisions related to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment of Punishment into the new Penal Code and ratified the Conventions Optional Protocol. Afghanistan highlighted also its commitment and advancement in the area of access to education and health care. Furthermore, the State reported its commitment to improve security and end conflict, including through the peace process. During the UPR process, Afghanistan received 258 recommendations, 235 of which were accepted. Several States expressed concern for violence against women and repression against journalists. Other States commended Afghanistan for the improvements in the legislation and encouraged the country to progress with the peace talks.

Bhutan (Report of the Working Group on the Universal Periodic Review, A/HRC/42/8, 3 July 2019 and Addendum A/HRC/42/8/Add.1, 3 September 2019)

Bhutanese delegation praised the role of the UPR in promoting and protecting human rights at global level, especially considered that, due to several constraints, the country was not party to many international human rights instruments. 2016 marked ten years as a democratic constitutional monarchy, a political transformation focused on people's participation to political life. Notwithstanding the fact that Bhutan had made efforts to realize a more efficient judicial system, it recognised that more had to be done and reiterated its commitment to this end. The State under review had also undertaken steps in the field of education, improving school infrastructure and access to education for children from rural areas, as well as in the field of health. With regard to the latter, Bhutan had established the Health Trust Fund to provide funding to purchase essential medicines and vaccines. However, the State reported an ongoing shortage of doctors, for which it established a University of Medical Science and introduced nursing programmes. These areas were considered pivotal in implementing Bhutan's approach to reducing poverty. During the review, Bhutan expressed its commitment to cooperate with the international human rights mechanisms to further improve the human rights record of the country. At the same time, Bhutan underlined that scarcity of resources and weak institutions limited its capacity to meet international obligations, despite its steadfast commitment; for this reason, it sought the support of the international community. Generally, States welcomed efforts and improvements made by Bhutan to improve human rights in the country, at the same noting shortcomings. During the UPR process, Bhutan received 220 recommendations, 149 of which were accepted. Further 71 were deferred for further review and, eventually, 8 of them were accepted and 63 noted.

Brunei Darussalam (Report of the Working Group on the Universal Periodic Review, A/HRC/42/11, 25 June 2019 and Addendum A/HRC/42/11/Add.1, 3 September 2019)

The Head of the delegation of Brunei Darussalam expressed its honour to present the country's national report, which was the result of an extensive consultation process with all relevant stakeholders, including non-governmental organizations. This approach was pursued in order to ensure transparency and inclusiveness. In its report, Brunei Darussalam highlighted the importance that it put on ensuring the welfare of its citizens, in order not to leave anyone behind. In this sense, the State had universal access to education and health, and had enacted measures aimed at ensuring coverage and providing for the

needs of Brunei people. As an example, Brunei had adopted a national education plan and invested greatly in health-related services, including free vaccinations and pre-natal screening. Brunei's report also underlined the role of women in the country's development, pointing out the progress made by the State in achieving gender equality in areas such as education and economic participation.

China (Report of the Working Group on the Universal Periodic Review, A/HRC/40/6, 26 December 2018 and Addendum A/HRC/40/6/Add.1, 15 February 2019)

China declared that it attached great importance to the UPR process and would seek cooperation and cooperative approach in the interactive dialogue. The delegation of China stated that reforms had brought to remarkable progresses in the area of human rights and it was committed to improving its legal, policy and administrative system for the promotion and protection of human rights, in light with Chinese characteristics, and it had adopted its third National Human Rights Action Plan. Measures had been taken to take people out of poverty and boost education and health-care systems. The Chinese delegation declared that the country was had undertaken efforts to strengthen judicial safeguards for human rights, and freedom of speech and religion were protected by the law. China had hosted several visits of human rights experts, actively participating in global human rights governance. The delegation observed that difficulties and challenged remained, but the goal was to eradicate poverty and realize socialist modernization by 2035. Recommendations received by China included the need for the State under review to ratify core human rights treaties, such as the International Covenant on Civil and Political Rights; ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; ensure transparency on the situation of religious minorities, including the Uighurs, and close the so-called 're-education centres' in Uighur areas, facilitating visits by the United Nations High Commissioner for Human Rights; to ensure freedom of expression, especially for journalists; promote gender equality; ensure the access of all children to education; protect human rights defenders. Overall, China received 346 recommendations, 284 of which were accepted. However, it did not accept 62 recommendations, which were found at odds with China's national conditions and laws, or biased. China opposed to the practice of using human rights as a way to interfere in its internal affairs.

Jordan (Report of the Working Group on the Universal Periodic Review, A/HRC/40/10, 7 January 2019 and Addendum A/HRC/40/10/Add.1, 11 March 2019)

In its report, the delegation of Jordan stated that the UPR process had helped the country to assess its own human rights situation. The delegation provided an overview of the developments and improvements undertaken to protect human rights and fundamental freedoms, despite the difficult situation of the region, especially in relation to security. The Country under review had adopted a Comprehensive National Human Rights Plan for the period of 2016-2025, with a view to reduce gaps in its human rights policy and practice. With regard to security and threats, Jordan underlined that the fight against extremism was indeed a challenge; notwithstanding, it had undertaken efforts towards the realisation of human rights such as ensuring access to justice and to an effective remedy. In the context of anti-terrorist activities, Jordan had put in place measures aimed at striking a balance between right to privacy and freedom of expression (the latter at the core of the human rights National Plan). Several countries commended Jordan for adopting the 2016-2025 National Plan and recognized the efforts and developments made by the country under review. However, concerns were raised with regard to restrictive practices against human rights that were still maintained, as well as limitations on freedom of expression. Many countries noted with appreciation the efforts by Jordan to improve its human rights record, for example in relation to gender-based violence, and encouraged the country to continue in the same direction. Overall, Jordan received 95 recommendations; for 21 of this, the country under review promised it would examine them.

Korea (Report of the Working Group on the Universal Periodic Review, A/HRC/42/10, 25 June 2019 and Addendum A/HRC/42/10/Add.1, 28 August 2019)

In the third UPR cycle, the Delegation of the Democratic People's Republic of Korea expressed the hope that the mechanism would foster a correct understanding of the human rights situation in the country, free from bias and discrimination. The State under review stated that it had reached significant achievements in the promotion and protection of human rights, among which: the establishment of the Institute of Human Rights, improvement in the health sectors (including the upgrade of several hospitals) and residential buildings free of charge for working people. The Democratic People's Republic of Korea pointed out that its efforts to promote human rights were made difficult particularly by the resolutions adopted by the Human Rights Council and the General Assembly, which hindered trade and delivery of medicines. In the

view of the delegation, these sanctions were biased and politically motivated. During the interactive dialogue, several States noted the steps undertaken by the State under review, namely the National Human Rights Institution. However, several States expressed their concern over the lack of cooperation of the State under review with the United Nations and international mechanisms. Other States commented on the ongoing serious human rights violations in the country, including the existence of prison camps, the lack of fair trial and the use of torture. Overall, the Democratic People's Republic of Korea received 262 recommendations, 63 of which were not accepted since, according to the delegation, they were based on false information providing a severely distort human rights situation in the country. Further 11 recommendations were not accepted because they impinge on the country's sovereignty. Moreover, the Democratic People's Republic of Korea took note of 56 recommendations, which could not be easily implemented in the near future. In conclusion, it accepted 132 recommendations.

Malaysia (Report of the Working Group on the Universal Periodic Review, A/HRC/40/11, 7 January 2019 and Addendum A/HRC/40/11/Add.1, 18 February 2019)

The delegation of Malaysia declared that the country had adopted a renewed focus on human rights, under the theme of 'Embracing Change', following the peaceful transition of power through the recent elections. The newly established Government had placed greater importance on cooperation with relevant stakeholders, including civil society and the Human Rights Commission of Malaysia, which contributed to the preparation of the national report for the present UPR cycle. With regard to developments in the area of human rights, Malaysia decided to abolish the death penalty and introduce a moratorium on all pending sentences. The country had also taken steps towards the protection of freedom of expression, also in relation to media and press, and had lowered the voting age to 18 years. Malaysia had also put efforts in advancing the rights of women and children, for example by raising the age of marriage to 18 years, by providing legal access to birth registration regardless of the child's nationality and the legal status of their parents, and by increasing the participation of women to decision-making processes. With regard to refugees, although Malaysia is not a State party to the 1951 Convention relating to the Status of Refugees, it had worked closely with the United Nations High Commissioner for Refugees to provide protection to persons of concern. In the context of the interactive dialogue, several States noted with appreciation Malaysia's efforts towards the protection and enhancement of human rights, particularly in the areas of women's rights, health, abolition of death penalty

and adopted of a National Human Rights Plan. However, some States expressed their concern regarding the effective protection of freedom of expression, gender equality, and the rights of lesbian, gay, bisexual, transgender and intersex persons. During the third UPR cycle, Malaysia received 268 recommendations in total, 147 of which were accepted, meaning that the State observed it was able to fully adhere to the principles expressed in the recommendations. Further 37 recommendations were partly accepted, as Malaysia agreed with their content and is able to implement them in light of existing Government policies or position. On the other hand, Malaysia took note of 84 recommendations, which were deemed in contradiction with the Constitution or other laws, or were based on inaccurate assumptions.

Qatar (Report of the Working Group on the Universal Periodic Review, A/HRC/42/15, 11 July 2019)

In its report, the delegation of Qatar expressed the importance of the UPR mechanism in strengthening and promoting States' commitments towards human rights law. Following the second UPR cycle, Qatar had undertaken efforts to protect human rights and this had led to relevant developments, among which the accession to the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights. The State under review had adopted a comprehensive reform policy, enshrined in the Qatar National Vision 2030, the First National Development Strategy (2011–2016) and the Second National Development Strategy (2018–2022). In this context, the report of Qatar highlighted the legislative reform pursued by the country, including those concerning migrant workers. In the context of such reforms, Qatar concluded an agreement with the International Labour Organization in 2017, aimed at receiving technical assistance to improve the wage protection system and increasing the prevention of forced labour. Concerning the Gulf crisis, the State report noted that the International Court of Justice had ordered the reunification of Qatari families separated by the interim measures taken against Qatar. In November 2017, the OHCHR had sent a mission to Qatar, which concluded that these interim measures had been disproportionate and discriminatory, as they targeted individuals on the basis of their nationality or links with Qatar. During the interactive dialogue, 104 delegations made statements. Many States noted Qatar's improvements in the protection of human rights and several States welcomed the legislative reforms aimed at enhancing the protection of migrant workers. However, some States expressed concerns regarding the actual enactment and application of labour laws, as well as the reservations made by Qatar at the moment of the accession to human rights instruments.

Kingdom of Saudi Arabia (Report of the Working Group on the Universal Periodic Review, A/HRC/40/4, 26 December 2018 and Addendum A/HRC/40/4/Add.1, 26 February 2019)

The Head of the delegation of Saudi Arabia stated that the country had enacted or amended several pieces of legislation such as the Criminal Procedure Act. It had also increased the independence of the Public Prosecution Service and established the Justice Training Centre to increase the efficiency and qualifications of judges. The Centre had organised several training activities aimed at raising awareness on human rights provisions. Saudi Arabia had also taken measures to counter extremism and terrorism, for example by establishing the Global Centre for Combating Extremist Ideology, aimed at tracking and analysing extremist activities, in cooperation with States and relevant organisations. The report of Saudi Arabia also illustrated the steps made in the areas of women's rights, including the Supreme Order according to which women were no longer required to obtain another's person approval to access government services or conclude their businesses. Further actions in this area included the appointment of women to the Human Rights Commission Board and the possibility of women to drive, thus enhancing their freedom of movement. With regard to the conflict in Yemen, Saudi Arabia affirmed that it played a role in supporting and helping the Yemeni people and its legitimate Government in full compliance with provisions and rules of international humanitarian law and human rights law. With regard to the death of Jamal Khashoggi, the head of the Saudi Arabia delegation made clear that the public prosecutor started investigating the case. During the interactive dialogue, States welcomed positively the measures undertaken by Saudi Arabia for the advancement of human rights, including in the area of women's rights, and encouraged the country to continue in this direction, noting that many challenges still remained. Many States called for effective investigation into the death of Jamal Khashoggi, condemning his killing and the repression of journalists. Saudi Arabia received 258 recommendations and reaffirmed its support for the UPR.

Viet Nam (Report of the Working Group on the Universal Periodic Review, A/HRC/41/7, 28 March 2019 and Addendum A/HRC/41/7/Add.1, 26 June 2019)

The delegation of Viet Nam stated its appreciation for the UPR process and illustrated the country's accomplishments in the field of human rights. Between 2014 and 2018, the State under review had amended or issued 96 laws and decrees pertaining to human rights, including on religion, access to information and children's rights, in consultation with relevant organizations. The country had further taken measures to reduce poverty and achieve gender equality, also in light of the recommendations received during the second UPR cycle. Viet Nam had cooperated with the United Nations human rights

mechanisms, for example by hosting visits of a number of special procedure mandate holders and had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities. During the interactive dialogue, Viet Nam explained it could not abolish the death penalty due to the country's circumstances, but had reduced the number of offences punishable by death penalty and excluded persons punishable by death (e.g. persons under 18 years of age). Death penalty was a recurring issue among States' recommendations. Other areas in which recommendations were made concerned sustainable development, the need to boost judicial and legal reforms to bring them in line with human rights standards, the need to ensure the rule of law and to protect freedom of expression. Overall, Viet Nam received 291 recommendations and accepted 241 of them. As for the latter, 220 were fully accepted, whereas the remaining 21 were accepted in part. As done in the previous UPR cycles, Viet Nam would endorse a National Plan of Action to ensure effective implementation of accepted recommendations, while further steps may be required for some recommendations that may need to be reviewed. Recommendations that were not accepted contained, according to the Vietnamese delegation, contentious terms or were at odds with the right of self-determination.

Yemen (Report of the Working Group on the Universal Periodic Review, A/HRC/42/9, 17 April 2019 and Addendum A/HRC/41/9/Add.1, 19 June 2019)

Due to the conflict taking place in the country, the recommendations accepted by Yemen during the second UPR cycle could not be implemented. Moreover, the terms of reference aimed at restoring peace in the country and agreed upon at local, regional and international level (including the Security Council Resolution 2216 (2015), had been rejected by Houthi militia. With a view to ensure justice for Yemeni victims, an independent National Commission of Inquiry had been set up to investigate allegations of human rights violations. The delegation of Yemen reiterated in its commitment to core human rights issues such as gender equality and children's rights. With regard to the latter the delegation stated that it had developed a national strategy to counter child recruitment and protect children in armed conflict. However, the current scenario hindered the advancement and the enjoyment of several human rights. The Government of Yemen underlined that the security of its citizens was a priority, considered the continued attacks of civilians and the need for humanitarian assistance. In its national report, the Yemeni Government stated also that, in its view, the report produced by the Group of Independent Eminent International and Regional Experts was not objective and encouraged the

militia to ignore the peace process. Virtually all States made statements through which they expressed their concern for the dire human rights situation in the country and the hope for solutions with the support of the international community. Several States noted also Yemen's efforts in dealing with the crisis. The Yemeni delegation highlighted the scarcity of its resources and encouraged further support. Recommendations directed to Yemen focused on the need to tackle the humanitarian situation in the country and to take steps to accelerate the peace progress to return to stability and peace. Yemen accepted 151 recommendations and took note of further 51 recommendations.

Human Rights Committee (HRCtee)

Concluding Observations on the initial report of Bahrain (Doc. N° CCPR/C/BHR/CO/1, 15 November 2018)

The Committee expressed appreciation for the opportunity to engage in dialogue through the submission of the initial report of Bahrain, albeit ten years late, and welcomed some legislative and institutional initiatives taken, in particular the establishment of the Bahrain Independent Commission of Inquiry, tasked with investigating the events that took place following the uprising in February and March 2011, and of other institutions such as the National Committee to Combat Trafficking in Persons and the National Institution for Human Rights. The Committee also welcomed the ratification of the Convention on the Rights of Persons with Disabilities and of the International Covenant on Economic, Social and Cultural Rights. The Committee however regretted that the Covenant is not given full effect in the domestic legal order and that the National Institution for Human Rights is not given full independence. It also noted some shortcomings in the legal framework on discrimination and invited the State Party to strengthen its effort to protect in particular women from discrimination and violence. The Committee was concerned about the lack of compliance with the Covenant of the measures adopted by the State Party to fight against terrorism and encouraged the legislator to clarify and narrowing the broad concepts used in its legislative framework and to investigate reports of excessive use of force and of torture and ill treatment by law enforcement officials. The Committee provided some recommendations on the treatment of prisoners, on the protection of asylum seekers and refugees, on the efforts to prevent trafficking in human beings, and to guarantee fundamental freedoms such as freedom of movement, of religion, of expression, of assembly and of association. The Committee finally noted with concern the fact that the Shia population is unrepresented in public and political life and

invited the State to ensure that minorities enjoy equal opportunities and to take steps to prevent and combat corruption.

Concluding Observations on the on the initial report of the Lao People's Democratic Republic (Doc. N° CCPR/C/LAO/CO/1, 23 November 2018)

The Committee welcomed some positive developments in the legislative and institutional framework of the State Party, such as the inclusion of a Chapter on Human Rights in the amended Constitution and the adoption of a National Action Plan on violence against women, as well as the ratification of international instruments, including the Convention against Torture and the Convention on the Rights of Persons with Disabilities. It then discussed, however, some matters of serious concerns in the actual implementation of the Covenant, such as the lack of awareness of its provisions by public officials as well as the lack of independence of national bodies tasked with protection of human rights. It was also concerned of the existence of regulations governing states of emergencies and of anti-terrorism legislation that are not completely in line with the provisions of the Covenant. It then encouraged the State Party to adopt legislation providing comprehensive protection against discrimination and criminalising enforced disappearances, and to take vigorous measures to eradicate torture and ill treatment and ameliorate the conditions of detention in prisons, as well as to ensuring the independence of the judiciary and fair trials to all accused persons. Some further recommendations were also related to the protection of fundamental freedoms, in particular freedom of expression and peaceful assembly and of association, as well as to ensuring the participation of minorities in public and political life.

Concluding Observations on the third periodic report of Viet Nam (Doc. N° CCPR/C/VNM/CO/3, 29 August 2019)

The Committee expressed appreciation for some legislative and institutional measures taken by the State Party, such as the inclusion of a chapter on human rights in the amended Constitution, the amendment of the Penal Code, Criminal Procedure Code, Law on Legal Aid and Law on Enforcement of Custody and Temporary Detention, the adoption of the Law on Trafficking and of the Action Plan on Gender Equality. It provided some recommendations, however, to ensure the effective implementation and dissemination of the Covenant at the domestic level, the independence of the national human rights institution, as well as to amend its legislation on states of emergencies and on countering terrorism, and its anti-discrimination framework, particularly to ensure adequate protection against stigmatisation based on gender identity and sexual

orientation and on health status. The Committee expressed concern about the persistence of violence against women and the lack of participation of women in all spheres of public life. Another area of concern was the application of the death penalty in a high number of crimes not meeting the threshold set by the Covenant, as well as the lack of legislation criminalising torture and ill treatment and the poor condition of detention, including in the drug rehabilitation centres where drug users are subjected to compulsory detoxification treatment and forced labour. The Committee then reiterated its recommendations on ensuring impartiality and independence of the judiciary and on strengthening its juvenile justice system. It expressed concern for the limited access to facilities supporting victims of human trafficking. Some recommendations were provided on ensuring protection of fundamental freedoms including in particular freedom of expression, of peaceful assembly, of association and on protecting human rights defenders and journalists. The Committee encouraged the State Party to strengthen its efforts to protect persons belonging to minorities, particularly when it comes to participating in any decisions on their rights and the conditions of living and having access to public services.

Committee on the Convention against Torture (CAT)

Concluding Observations on the sixth periodic report of Russia (Doc. N° CAT/C/RUS/CO/6, 28 August 2018)

The Committee welcomed the accession or ratification of international instruments, such as the Optional Protocol to the Convention on the Rights of the Child, the Convention against Trafficking in Human Organs and the Convention on the Rights of Persons with Disabilities, as well as the revision of legislation in areas relevant to the Convention against Torture, including the amendments to the Penal Code and the Code of Criminal Procedure, and the adoption of policies such as the national strategy for women and the programme for the development of the penal correction system. The Committee however notes some matters still subject to concern, including the fact that torture is not yet criminalised as an independent crime and that fundamental legal safeguards against torture and ill-treatment are not respected and cases of abuses are not investigated and prosecuted. It then encouraged the State Party to investigate the specific case of Yevgeny Makarov, a prisoner allegedly beaten by guards, and to take the necessary measures to protect both Makarov and his lawyer. Particular attention was devoted to providing recommendations on monitoring the excessive use of force of law enforcement officials and the conditions of places of deprivation of liberty. It encouraged the State party to

ensure that all persons have access to an independent compliant mechanism for cases of torture and that these are protected against acts of reprisals. The Committee was concerned about reports of acts of violence against specific categories of persons, such as human rights defenders, journalists, women and people belonging to sexual minorities. It also reiterated the previous recommendations to take more measures to prevent and combat hazing within the armed forces and to ensure that training on the provisions of the Convention is mandatory for all law enforcement officials. It finally addressed the situation in some specific regions, such as North Caucasus, Crimea and Transnistrian region of the Republic of Moldova.

Concluding Observations on the initial report of Maldives (Doc. N° CAT/C/MDV/CO/1, 19 December 2018)

The Committee expressed appreciation for the ratification of international instruments, including the Covenant on Civil and Political Rights and on Economic, Social and Cultural Rights, the Rome Statute, as well as the optional protocols to the Conventions on the Rights of the Child, against Torture and on the Elimination of all forms of discrimination against women. It also welcomed some legislative and institutional measures, such as the adoption of the Constitution, which contains a Bill of Rights, in 2008, and the Anti-Torture Act in 2013. Among the principal matters of concern, the Committee noted the low number of complaints and cases investigated, due in part to the reluctance to cooperate of the authorities, in particular the police, with the Human Rights Commission of the Maldives and with the National Integrity Commission. The Committee recommended the State Party to commit to uphold the absolute prohibition of torture including during states of emergency and to revise the Anti-Torture Act to ensure that it provides adequate penalties. Other areas of concern included deaths in custody, prolonged pretrial detentions, and fundamental legal safeguards not always provided to accused persons, violence against women and corporal punishment of children, the practice of judicial flogging. The Committee encouraged the State Party to urgently undertake the prison reform as announced, to improve the conditions of detention and to provide additional resources to the Human Rights Commission to monitor the places of detention.

Concluding Observations on the initial report of Viet Nam (Doc. N° CAT/C/VNM/CO/1, 28 December 2018)

The Committee welcomed the ratification of international instruments since 1950, some legislative measures taken by the State Party in more recent times, such as the adoption of the Law on Human Trafficking, and the amendments

to the Criminal Code, Criminal Procedure Code and the Law on Legal Aid, as well as some initiatives taken, including the training courses organised for public officials, and the establishment of family and juvenile tribunals. The Committee expressed however concern for some areas, including the lack of a separate provision in the Criminal Code to criminalise torture and the state of limitation for this crime, as well as the need to ensure that also complicity in these acts is covered as well as the inadmissibility of statements made as a result of torture. Major concerns were expressed considering the allegations of the widespread use of torture and ill-treatment in particular in police stations but also in other places where persons are deprived of their liberty and the reports about the lack of investigation of acts of violence. The Committee recommended the State Party to ensure fundamental legal safeguards to all persons deprived of their liberty and to promptly and impartially investigate any complaint for an excessive use of force and cases of death in custody, in particular those concerning members of ethnic and religious minorities. The frequent and prolonged use of pretrial detention as well as the use of administrative detention facilities, including compulsory education facilities, reformatory schools, social protection centres and compulsory detoxification centres. The Committee provided some recommendations to improve the material conditions of detention and encouraged the State Party to take the necessary steps to regularly monitor these places.

Concluding Observations on the initial report of Bangladesh (Doc. N° CAT/C/BGD/CO/1, 26 August 2019)

The Committee regretted that the submission of the initial report was 20 years late but welcomed the possibility to finally engage in dialogue with the delegation from the State Party. It expressed appreciation for the ratification or accession to a set of international human rights instruments and for a set of legislative and policy measures recently taken in areas relevant to the Convention, including in particular the adoption of the Torture and Custodial Death (Prevention) Act in 2013. The Committee however was concerned at information received alleging the widespread and routine commission of torture and ill-treatment by law enforcement officials for the purpose of obtaining confessions or to solicit the payment of bribes. It therefore recommended the State Party to unambiguously and publicly acknowledge that no acts of torture or ill treatment can be tolerated under any circumstances, and to establish an independent body tasked with investigating all allegations. Other areas of concern included the practices of unacknowledged detention and of remand detention, the corporal punishment of children, the lack of fundamental legal safeguards for all persons in custody, with particular attention to the reports of

violence against indigenous, ethnic and religious minorities and other vulnerable groups. The Committee provided some additional recommendations aimed at ensuring the independence of the judiciary, at protecting human rights defenders and journalists, at improving the conditions of prisons, and at taking specific steps to protect victims of human trafficking and refugees.

**Committee on the Elimination of Discrimination against Women
(CEDAW)**

Concluding Observations on the combined eighth and ninth periodic reports of the Lao People's Democratic Republic (Doc. N° CEDAW/C/LAO/CO/8-9, 14 November 2018)

The Committee welcomed the progress achieved since the consideration in 2009 in undertaking legislative reforms including the adoption of the revised Constitution in 2015, the Law on Preventing and Combating Violence against Women and Children, the Law on Social Security, the Law on Women's Union, the Law on Hygiene, Disease Prevention and Health Promotion, and the Amended Law on Criminal Procedure. It also expressed appreciation for the ratification of international instruments and for some policy measures taken, such as the adoption of the national strategy for gender equality 2016-2025, the Action plan for the implementation of the strategy for reproductive health for mothers, infants and children 2016-2025, and the National action plan on the protection and elimination of violence against women and children 2014-2020. The CEDAW however pointed out the fact that in particular women living in rural and remote areas have limited knowledge of their rights under the Convention and of the available remedies for violations of such rights, and the persistent barriers that deter women to register their complaints. Other areas of concern included the lack of a national human rights institution and the limited resources and capacity of other institutions to coordinate and implement gender equality plans, policies and programmes effectively, and the undue restrictions posed to non-governmental organisation working in this field. The Committee remained concerned about the persistence of discriminatory gender stereotypes regarding the roles and responsibilities of women and men in the family and in society, which contribute to the perpetuation of harmful practices. It expressed concern also for the lack of data on domestic violence, the lack of a legislative framework to prevent prostitution and of measures to support women and girls who are exploited. The Committee finally provided some recommendations on other areas, including education, employment, health, economic and social benefits, marriage and family relations, disaster risk reduction and climate change.

Concluding Observations on the sixth periodic report of Nepal (Doc. N° CEDAW/C/NPL/CO/6, 14 November 2018)

The Committee welcomed some legislative acts adopted and policy measures taken in the field relevant to the Convention, including the Safe Motherhood and Reproductive Health Rights Act in 2018, the Sexual Harassment at the Workplace (Elimination) Act in 2015, and the national strategy and action plan for the elimination of gender-based violence and the empowerment of women in 2013. The Committee however expressed some concern arising from the fact that the legislative framework does not adequately protect women from multiple and intersecting forms of discrimination and that some discriminatory laws and provisions have not been repealed. While appreciating the introduction of provisions allowing for “special opportunities” for women in the fields of education, health, employment and social security under article 38 (5) of the Constitution, the Committee remained concerned about the absence of specific legislation to integrate these provisions. Areas of concern also referred to the existing barriers to access to justice, the limitations of the national machinery for the advancement of women, the insufficient engagement of civil society and the persistence of stereotypes and harmful practices albeit prohibited by law. The Committee encouraged the State Party to ensure that the Truth and Reconciliation Commission is in the position to hear complaints also relating to sexual violence perpetrated during the conflict. Important recommendations offered by the Committee referred to other areas, such as the protection of women from exploitation in prostitution, education, employment, migration, health, marriage and family.

Concluding Observations on the sixth periodic report of Tajikistan (Doc. N° CEDAW/C/TJK/CO/6, 14 November 2018)

The Committee welcomed the ratification of international instruments and the support to the Sustainable Development Goals, as well as the progress achieved in undertaking legislative reforms and the efforts to improve the institutional and policy framework in areas relevant to the Convention, which include the adoption of the action plans for reproductive health and for the prevention of trafficking in persons and the national programme for the prevention of domestic violence. The Committee however expressed concern about the fact that the definition of discrimination contained in the current legislation does not include direct and indirect discrimination and about the limited access to free legal aid and information about remedies to women and girls. It recommended the State party to strengthen the mandate and the capacity of the Committee for Women and the Family and to ensure the independence of the Human Rights Ombudsman, and to ensure protection of civil

society actors working on women's rights. It remained concerned about the persistent discriminatory gender stereotypes and the existing harmful practices as well as about the widespread but unreported gender-based violence and the systemic impunity for perpetrators. Another area of major concern included the lack of enforcement of legislative and policy measures on trafficking and sexual exploitation. Then the Committee provided some recommendations in other relevant areas, including education, participation in public and political life, employment, health, marriage and family relations and the precarious condition of rural women and of other disadvantaged groups of women.

Concluding Observations on the report of Samoa (Doc. N° CEDAW/C/WSM/CO/6, 14 November 2018)

The Committee welcomed the progress achieved in undertaking some legislative reforms, including the adoption of the Sex Offenders Registration Act in 2017, the Crimes Act increasing the maximum penalties for various sexual offences, the Family Safety Act and Family Courts Act, and the State Party's efforts to improve its institutional and policy framework, for instance through the adoption of the national policy for gender equality 2016–2020. It also expressed appreciation for the ratification of some international instruments and the support to the Sustainable Development Goals. It remained concerned however about the lack of a comprehensive definition of discrimination against women in the national legislative framework, the lack of implementation of the provisions on access to justice especially for rural women, the persistence of deep-rooted stereotypes and harmful practices and the prevalence of gender-based violence against women and girls, in particular domestic and sexual violence or exploitation. Turning its attention to the participation of women in public and political life, the Committee pointed out the underrepresentation of women in decision-making positions and the prevalence of male religious leaders. It finally provided some recommendations relevant to other areas, such as in order to promote gender-sensitive education programmes, to take adequate measures to protect maternity both in the social security and healthcare sectors, to encourage the employment of women in specific areas, to take into consideration particularly disadvantaged groups of women, including with respect to disaster risk reduction and climate adaptation programmes.

Committee on the Rights of Persons with Disability (CRPD)

Concluding Observations on the initial report of Philippines (Doc. N° CRPD/C/PHL/CO/1, 16 October 2018)

The Committee welcomed the measures taken to develop a legislative and policy framework to implement the provisions of the Convention, including the adoption of the Royal Decrees reserving 1 per cent of all government positions for persons with disabilities and establishing institutional mechanisms for implementing programmes for persons with disabilities at the local level. It expressed concern however about the lack of a comprehensive strategy, the insufficient human, technical and financial resources allocated and the lack of awareness-raising initiatives. The Committee then analysed the progress achieved to implement rights under specific provisions of the Convention and to protect categories of vulnerable persons, such as women and children. It provided some recommendations to raise awareness among interested actors and to establish complaint procedures to grant accessibility. Other areas referred to ensuring that national disaster risk reduction measures take into account the specific needs of persons with disabilities, to revising the policy framework to address domestic violence against children and trafficking and exploitation, as well as to enacting legislation aimed at recognising the right to live independently and to be integrated in the community, to devoting adequate public budget to mobility aids and assistive technologies. The Committee also provided some recommendations on education programmes, and particularly encouraged the state party to develop those on sexual reproductive health. It then took into account freedom of expression and access to information, the provisions on work and employment, the measures on adequate standard of living and on social protection, the initiatives on participation in public and cultural life, as well as other specific obligations, including to collect disaggregated data on disability and to review the international projects carried out in partnership with global aid agencies and other donors.

Concluding Observations on the initial report of Saudi Arabia (Doc. N° CRPD/C/SAU/CO/1, 13 May 2019)

The Committee expressed appreciation for the initial steps taken to put in place legislation, mechanisms and programmes to promote and protect the rights of persons with disabilities, including the establishment of the Authority for the Welfare of Persons with Disabilities in 2018 and the adoption of a four per cent quota for persons with disabilities in enterprises and governmental bodies. It however expressed concern for the lack of a comprehensive strategy to implement the human rights model established in the Convention and

the lack of cases brought by persons with disability which may reflect the poor awareness of their rights. It then provided some recommendations on specific groups of persons, such as women and children, as well as on specific rights, such as protection in situations of emergency, freedom from inhumane treatment and from exploitation, liberty of movement, freedom of expression, and the right to live independently and to be integrated into the community. The Committee remained concerned about the continued practice of placing children with disabilities in segregated educational settings, the barriers faced by persons with disabilities in accessing health-care services and the workplace, the high percentage of persons with disabilities who do not have a regular income and the lack of a comprehensive social protection scheme, the limited participation to public, political and cultural life, as well as about the lack of implementation of specific duties such as to collect adequate data on the conditions of persons with disability.

Concluding Observations on the initial report of Vanuatu (Doc. N° CRPD/C/VUT/CO/1, 13 May 2019)

The Committee expressed appreciation for the measures taken to develop a legislative and policy framework to implement the Convention, including the National Disability-Inclusive Development Policy (2018–2025), the national disability inclusion policy for the technical and vocational education and training sector (2016–2020), and a set of action plans in other areas which take into account the rights of persons with disability. The Committee however expressed concern about the limited implementation of the above-mentioned action plans and the persistence of stigmatisation and negative attitudes, as well as the lack of legislation to prohibit disability-based discrimination, including by establishing e.g. the denial of reasonable accommodation as a form of discrimination, and the lack of data on intersectional discrimination. It provided some recommendations on specific categories of persons with disability, such as women and children, and on specific rights, such as accessibility to different services and on participation in the elaboration of disaster risk reduction plans. The Committee encouraged the State party to strengthen training for the judiciary and law enforcement personnel, as well as in the health care and education sectors. Other areas addressed by the Committee included the need to ensure that persons with disability enjoy adequate and accessible health services and workplaces, as well as the opportunity to participate to social security programmes, to political and public life as well as to cultural life and leisure. In general, the Committee recommended the State party to systematically collect disaggregated data on the situation of persons with disability and to ensure meaningful consultation of persons with disability in the

elaboration and implementation of international cooperation programmes devoted to this area.

Committee on the Elimination of Racial Discrimination (CERD)

Concluding Observations on the combined fourteenth to seventeenth periodic reports of China (Doc. N° CERD/C/CHN/CO/14-17, 19 September 2018)

The Committee expressed appreciation for the efforts to implement the Convention through the adoption or amendment of legislation and of policy instruments, including in particular the plan for supporting the development of small population ethnic groups (2011–2015) and the plan for rural poverty alleviation and development (2011–2020). Concerns were however expressed due to the lack of a definition of racial discrimination in full conformity with article 1 of the Convention, the lack of a comprehensive anti-discrimination strategy and the lack of statistics, surveys, administrative records and registers provided by the State party on acts of racial discrimination and related administrative and civil complaints, investigations, procedures and sanctions. It was also concerned of the very limited number of cases of racist hate speech and hate crimes and encouraged the State to ensure accessibility to complaint mechanisms. Other areas addressed by the Committee included the need to ensure the official recognition of all ethnic groups in its territory and their political representation and to enhance consultation with ethnic minority groups prior to and during poverty alleviation programmes. The Committee then expressed some concern and provided some recommendations on resettlement measures, access to adequate healthcare in ethnic minority areas, abuses towards foreign migrant workers, impact of a broad definition of terrorism that could facilitate the criminal profiling of minorities, ill-treatment of human rights defenders. It then discussed more in detail the situation of specific areas and groups, including the Xinjiang Uighur Autonomous Region, Tibetans and Mongolian. Some further recommendations were finally offered on strengthening measures to prevent, detect and where appropriate sanction racial discrimination in public and private sector labour conditions, to prevent and sanction human trafficking, to adopt comprehensive laws on refugees and asylum seekers.

Concluding Observations on the combined twenty-second to twenty-fifth periodic reports of Iraq (Doc. N° CERD/C/IRQ/CO/22-25, 11 January 2019)

The Committee noted with interest the legislative and institutional progress made by the State party, particularly those acts aimed at protecting the Kurdistan population as well as at providing reparations for victims of terrorist attacks and defining as genocide the suffering inflicted by Daesh on Yazidis, Turkmen, Christians, Shabaks and other ethnic and ethno-religious minority groups. The Committee was particularly concerned that the armed conflict has severely restricted the State party's control over important parts of its territory and has had a devastating impact on a variety of minority groups. Grave human rights violations committed by Daesh included summary executions, enforced disappearances, torture, forced religious conversions, sexual and gender-based violence including rape and sexual slavery, and destruction and looting of their places of worship, homes and other properties. Areas of major concern addressed by the Committee referred to the lack of adequate information collected and made available by the State on the ethnic and ethno-religious composition of its population, the fact that the Convention has still not been fully incorporated into the State party's domestic legal order and the lack of a comprehensive anti-discrimination legal framework. It also pointed out the lack of information on the complaints received regarding racial discrimination and encouraged the State party to take all necessary measures to protect ethnic minorities and to ensure accountability for crimes perpetrated by members of Daesh as well as by Iraqi security forces in the conduct of military operations and while combating terrorism. The Committee expressed particular concern for the marginalization and stigmatization against vulnerable groups, including people of African descent, Roma, migrant workers, refugees and internally displaced persons especially in the Kurdistan region.

Concluding Observations on the combined tenth and eleventh periodic reports of Japan (Doc. N° CERD/C/JPN/CO/10-11, 26 September 2018)

The Committee welcomed the legislative and policy measures taken by the State Party, including the adoption of the Action Plan to Combat Trafficking in Persons in 2014, the Act on the Promotion of Efforts to Eliminate Unfair Discriminatory Speech and Behaviour against Persons Originating from Outside Japan and the Act on the Promotion of the Elimination of Buraku Discrimination in 2016. The Committee however noted with concern the lack of comprehensive anti-discriminatory legislation and the poor progress made to establish a national human right institution. It then discussed specific issues, such as the

cases of hate speech crimes both off and online, the numerous cases of discrimination against the Ainu, the violence against the Ryukyu/Okinawa that are still not recognized as indigenous peoples, the persistence of discrimination against Burakumin in employment, housing and marriage, the conditions of Koreans who have lived for multiple generations in Japan but still remain foreign nationals, the ethnic or ethno-religious profiling and surveillance of Muslims of foreign origin by law enforcement officials, and the situation of non-citizens in general, including refugees and asylum seekers. Other areas of concern pointed out by the Committee included the reports of intersecting forms of discrimination against foreign, indigenous and minority women based on their national origin, ethnicity and gender, the lack of a victim-centred approach to solving the issue of “comfort women”, the insufficient government oversight and a lack of information on the implementation and impact of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees.

Concluding Observations on the combined seventeenth to nineteenth periodic reports of the Republic of Korea (Doc. N° CERD/C/KOR/CO/17-19, 10 January 2019)

The Committee welcomed a number of positive developments undertaken by the State party to fight racial discrimination and promote diversity, including a set of legislative measures on migration, the adoption of the third National Action Plan for the Promotion and Protection of Human Rights in 2018, as well as the ratification of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2015. It however expressed concern for the lack of a comprehensive legislation that defines and prohibits discrimination on multiple grounds. The current climate of hate and mistrust towards foreigners, migrants and refugees was one of the principal matters of concern, as it was the rise of hate speech and the use of derogatory terms against them. The Committee discussed the cases of violence and repression towards undocumented migrants, the lack of redress mechanisms for migrant women who suffered gender-based violence, the situation of multicultural families, the lack of birth registration and of access to education for children born from parents of foreign origin, the fact that several categories of migrants are excluded from social security schemes. The last part of the concluding observation touched upon other themes, including the ratification of other treaties, the follow-up to the Durban Declaration, the consultation with civil society, the dissemination of the Committee’s recommendations.

Concluding Observations on the combined twenty-third and twenty-fourth reports of Mongolia (Doc. N° CERD/C/MNG/CO/23-24, 29 August 2019)

The Committee noted with appreciation the legislative and policy measures taken by the State Party which contain provisions that prohibit discrimination, such as the Law on Civil Service and the Revised Criminal Code and Criminal Procedure Code. It nevertheless reiterated its previous concern related to the lack of specific and comprehensive anti-discriminatory legislation and noted the lack of adequate funding and human resources to enable the Human Rights Commission's effective functioning. Another concern was expressed with reference to the rise of hate speech in social media and in particular in social networks and to the lack of data on complaints made and prosecution of perpetrators, as well as the existence of a number of ultra-nationalist organizations and groups who are publicly using and promoting hate speech against people of foreign origin. The low number of Kazakhs, Tuvas and Tsaatans (Dukhas) who have completed primary, secondary and higher education as compared to the national average was also noted, as it was the high rates of unemployment. In particular, with reference to the Tsaatans, the Committee pointed out that the restrictions on fishing and hunting in the Tengis Shishged protected area may negatively affect and endanger their traditional livelihood and their cultural rights. It was finally discussed the fact that mining licenses and exploration permits continue to be issued without any consultation with the affected ethnic minorities, in particular those practising reindeer herding, and negatively impact their traditional forms of livelihood and cultural practices.

Concluding Observations on the combined initial and second periodic reports of the State of Palestine (Doc. N° CERD/C/PSE/CO/1-2, 29 August 2019)

The Committee noted some factors impeding the full implementation of the Convention, including the Israeli occupation of the territory of the State party, the expansion of the settlements and the continued blockade of the Gaza Strip. It was also mentioned that, owing to the political and geographical fragmentation of the State party's territory, Palestinians, including ethno-religious and national minority groups, continue to be subjected to multiple legal systems that greatly impede the full realization of their rights. Some positive aspects were discussed, including the ratification of Human Rights instruments since the entry into force of the Convention in 2014, as well as the adoption of legislative and policy measures, such as the National Strategy for Justice and Rule of Law (2014–2016). The Committee regretted the lack of comprehensive

statistics on the demographic composition of the population, disaggregated by ethnic or national origin, including on non-citizens, such as migrants, refugees and stateless persons. It was concerned about the lack of a comprehensive definition of racial discrimination, about the lack of adequate financial and human resources for the Independent Commission for Human Rights of Palestine, the lack of detailed information on the complaints filed. With reference to specific groups, the Committee was concerned about the lack of information on the situation of Bedouins, who face a number of challenges in terms of accessing essential services, as well as forcible evictions and demolition of their houses. It then provided some recommendations to amend its legislation to prevent and prosecute racist hate speech, to amend its electoral laws to ensure that ethno-religious and national minorities are adequately represented in all elective bodies as well as in public office, to adopt a comprehensive nationality law that harmonizes the various provisions on nationality to reduce the risk of statelessness.

Concluding Observations on the combined seventeenth to twenty-first periodic reports of Qatar (Doc. N° CERD/C/QAT/CO/17-21, 2 January 2019)

The Committee welcomed the legislative and policy measures taken by the State party on human rights protection and its accession, in 2018, to the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights. It regretted the continued absence of comprehensive statistics on the ethnic composition of the population, in particular of Qatari nationals, and on the national origin of migrant workers, as well as the lack of information on complaints filed. The Committee expressed concern that, although there are equality and non-discrimination provisions in the Constitution, the State party has not yet adopted a definition of racial discrimination in line with the Convention and that the National Human Rights Committee has not adequate financial and human resources. Other areas of concern referred to the poor enforcement of legislation that protects migrant workers, who face difficult working conditions, to the condition of minority women, who face multiple and intersecting forms of discrimination on the basis of ethnic origin and gender, including barriers in access to employment, education, health care and justice, the situation of naturalized citizens and of non-citizens, of asylum seekers and refugees. It finally provided some recommendations on supporting civil society organisations and on providing human rights training and raising awareness particularly among law enforcement officials, members of the judiciary, prison officers, lawyers and teachers.

Committee on Economic, Social and Cultural Rights (CESCR)

Concluding Observations on the second periodic report of Kazakhstan (Doc. N° E/C.12/KAZ/CO/2, 29 March 2019)

The Committee welcomed the legislative, institutional and policy measures taken by the State party to enhance the level of protection of economic, social and cultural rights, in particular the adoption of the Kazakhstan Family and Gender Policy Concept until 2030. It however noted the low level of financial and human resources provided to the Commissioner for Human Rights, and the difficulties faced by some non-governmental organizations working for the protection of the rights of lesbian, gay, bisexual and transgender persons. More generally, the Committee was concerned that neither the Constitution nor the domestic legislation of the State party explicitly prohibits some of the existing grounds of discrimination, including gender identity and sexual orientation. Persons with disability also face discrimination and inequalities in many areas of life, as do other minority groups. The Committee also regretted the lack of comprehensive data and information on the regulatory framework established to ensure that business entities respect rights under the Covenant and apply human rights due diligence. Another area of concern referred to the low level of public expenditure on social services as a ratio of the gross domestic product, including in health care and education and to the persisting high level of corruption and its impact on the enjoyment of social, economic and cultural rights. Some recommendations were provided on improving the conditions of work especially for women and migrants, on protecting children from labour, on providing social housing to disadvantaged and marginalized individuals and families, on increasing the budget allocated to primary and secondary schools, and on promoting the development of scientific research. The State party was finally invited to disseminate these observations widely at all levels of society.

Concluding Observations on the second periodic report of Turkmenistan (Doc. N° E/C.12/TKM/CO/2, 31 October 2018)

The Committee welcomed the constitutional, legal and policy measures taken to promote the enjoyment of economic, social and cultural rights, such as the adoption of the new Constitution in 2016, prohibiting discrimination based on sex, the National Action Plans on Human Rights (2016–2020), Gender Equality (2015–2020), and on Socioeconomic Development (2011–2030). It however raised the concern that not all the provisions of the Covenant have been incorporated in the national legal framework and it regretted the lack of information on cases brought to courts and to the human rights Ombudsman, established

in 2016. Other areas of concern referred to the persistence of high levels of corruption, the lack of comprehensive anti-discrimination legislation, the marginalised status of some vulnerable groups such as women, persons with disability and children. Particular concern was expressed for the prevalence of domestic violence that is unreported and not investigated. Some recommendations were provided on collecting data on extreme poverty, on granting access to safe drinking water and sanitation in rural areas, on making every effort to improve the living conditions in prisons, on promoting education in ethnic languages and at expanding Internet access particularly in rural areas. The State party was finally invited to disseminate these observations widely at all levels of society.

Committee on the Rights of the Child (CRC)

Concluding observations on the combined fourth to sixth periodic reports of Bahrain (Doc. N° CRC/C/BHR/CO/4-6, 27 February 2019)

The CRC welcomed the measures adopted by Bahrain to implement the Convention on the Rights of the Child, including the Family Act in 2017 and the first national strategy for children and the national strategy for youth. It also welcomed the budgetary increase to implement children's rights and the measures taken to protect children with disabilities, including the ratification in 2011 of the Convention on the Rights of Persons with Disabilities. The CRC indicated freedom of expression, juvenile justice, non-discrimination, nationality and sexual exploitation as areas raising concerns and recommended the State party to ensure children's rights with regard to their involvement in armed conflict, in adherence to the Convention and its Optional Protocol on the involvement of children in armed conflict and Optional Protocol on the sale of children, child prostitution and child pornography. It also encouraged Bahrain to implement policies aimed at achieving the Sustainable Development Goals as far as children are concerned. The CRC recommended the State party to conduct a review of the legislation to ensure that all laws (including Sunni law, Jaffari law and civil law) are compliant with the Convention's provisions, as well as to pass into law the correctional justice bill, to bring legislation in line with the Convention. Another area of concern in which the CRC made recommendations to Bahrain was child marriage, considered the age of marriage was established at 16, whereas the CRC recommended to establish it at 18 years for both girls and boy; the CRC recommended the State party to take measures to eradicate child marriage, without exceptions. Further recommendations concerned the need to ensure the best interest of the child is upheld

and their views considered; to ensure the right to a nationality to all children and to prevent statelessness; and to effectively implement legislation against domestic violence and abuse.

*Lao People's Democratic Republic (Doc. N° CRC/C/LAO/CO/3-6),
1 November 2018)*

The CRC welcomed the progresses made by the Lao People's Democratic Republic, particularly in relation to accession to international instruments (in 2012, the State party ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment). The CRC further noted with appreciation the legislative and policy measures adopted by the Lao People's Democratic Republic, including the Law on Juvenile Criminal Procedure in 2014. It also welcomed positively that, since 2014, maternal, neonatal and child health care had been free of charge for pregnant women and children under 5 years of age. With regard to areas of concerns, the CRC reminded the State party of its obligations vis-à-vis, inter alia, birth registration and children with disabilities. The CRC recommended the State party to ensure that the Convention's rights are directly applicable in courts and to adopt a National strategy and policy on the rights enshrined in the Convention, as previously recommended. Moreover, the CRC recommended the Lao People's Democratic Republic to ensure that the business sector complies with international and national human rights law, including in the area of labour law, to make sure that the activities of business companies do not put in danger or negatively affect children's rights. Furthermore, the CRC made recommendations to the State party in regard to the necessity to ensure birth registration, including by simplifying the procedure also through the ongoing establishment of mobile registration structures; to protect freedom of expression effectively; to make sure to promote awareness-raising activities among parents regarding the prohibition of corporal punishments; and to eradicate child marriage. With regard to the latter area of concern, the CRC urged the State party to enforce measures against child marriage, observing that, child marriage was still occurring although the age of marriage was set at 18 years of age.

Concluding observations on the combined fourth and fifth periodic reports of Japan (Doc. N° CRC/C/JPN/CO/4-5, 5 March 2019)

The Committee welcomed Japan's progress in various areas, including the revision of the Civil Code in 2018, which now sets the age of marriage at 18 years. The CRC also greeted the adoption of institutional and policy measures related to children's rights, such as the General Principles of Policy on Poverty among Children of 2014. The CRC stressed the importance for Japan to take urgent

measures in relation to non-discrimination, noting that there was still discrimination among children, for example children born outside the wedlock, and Japan lacked a comprehensive non-discrimination framework. It thus urged the State party to give full implementation to the non-discrimination principle. Furthermore, the CRC recommended Japan to ensure proper consideration of the best interest of the child in every process and decision concerning children. It further emphasizes the need to protect children's rights in the education sector, in particularly by recommending Japan to research the root causes of suicide among children and equip schools with social workers and psychologists. Other recommendations concerned the need to prevent statelessness; to counter abuse and exploitation of children, notwithstanding the measures already taken by Japan in this area; to halt corporal punishment, noting that it was not fully prohibited in the law; to ensure adequate care for mental health for adolescents; and to increase children's awareness and preparedness in the context of disaster risk management. With regard to asylum-seeking children and refugee children, the CRC recommended Japan to uphold the principle of non-refoulement and prevents parents' detention and separation from children, as well as to take immediate measures to prevent the detention of unaccompanied or separated asylum-seeking or migrant children.

*Concluding observations on the initial report of Tonga (Doc
N° CRC/C/TON/CO/1, 2 July 2019)*

The Committee welcomed the progress achieved by the State party in various areas, including the adoption of the Family Protection Act of 2013, the Education Act of 2013, the Domestic Violence Response Policy and the Tonga National Youth Strategy 2014–2019. The CRC recommended Tonga to ensure children's rights in the process of implementing the 2013 Agenda for Sustainable Development and urged the State party to ensure the meaningful participation of children in the design and implementation of policy aimed at achieving all 17 Sustainable Development Goals as far as they concern children. However, the CRC expressed concern for the lack of a comprehensive national policy for children and recommended Tonga to adopt it, as well as to make sure its laws and policies were in accordance with the Convention and to establish an independent mechanism to monitor children's rights, also through submission of complaints. Furthermore, the CRC was concerned about the fact that national legislation establishes the minimum age for marriage at 15 years, hence at odds with the Convention; for this reason, it recommended Tonga to revise its legislation and bring the age of marriage at 18 years of age. Moreover, the CRC expressed concerns for violence, abuse and exploitation against children, and urged Tonga to effectively investigate these cases and conduct

awareness-raising activities on these topics. Other recommendations concerned the respect of the principle of non-discrimination, considered that Tonga maintained a distinction between ‘illegitimate’ children and prevented women from owing landownership rights; the need to abolish death penalty for children; the need to ban corporal punishment and to raise awareness among teachers through training.

Committee on the Protection of Migrant Workers (CMW)

Concluding Observations on the second periodic report of Tajikistan (Doc. N° CMW/C/TJK/CO/2, 9 May 2019)

The CMW welcomed the submission of Tajikistan’s second report and appreciated the open and constructive dialogue with the delegation. With regard to positive aspects, the CMW noted with appreciation the efforts undertaken by Tajikistan to promote the rights of Tajik migrant workers abroad, particularly those working in the Russian Federation. Measures included the establishment of offices of the Migration Service in the Russian Federation and agreements concluded with the latter to remove Tajik citizens included in the lists of banned individuals for minor administrative offences. Moreover, the Committee also welcomed Tajikistan’s efforts to provide passports to Tajik migrant workers in the Russian Federation, which was possible through the deployment of specialists across the country. Furthermore, the CMW noted with appreciation the ratification of the International Labour Organization (ILO) Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), in January 2014, and the ILO Home Work Convention, 1996 (No. 177), in May 2012. It further welcomed the adoption of a series of legislative measures, such as the Labour Code, the revised Act on Trafficking on Persons and the National Strategy on Tajik Labour Migration, aimed at protecting Tajik migrant workers. On the other hand, concerns were raised by the CMW with regard to the adoption of a bill on labour migration, which the Committee recommended to ensure its compliance with the Convention’s standards. Other concerns were expressed with regard to gender equality, due process rights especially for migrant workers in irregular situations, right to vote for Tajik workers abroad, means of expulsions with particular regard to asylum-seekers, and children in the migration process. The CMW invited Tajikistan to timely disseminate the concluding observations in the language of the State party.

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The views expressed herein are those of the authors and do not necessarily reflect the views of the United Nations.

PART 5

Book Reviews



