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Agenda item 1
Organizational and procedural matters

Report of the Human Rights Council on its eighteenth session*

Vice-President and Rapporteur: Ms. Gulnara Iskakova (Kyrgyzstan)

* The text of resolutions and decisions adopted by the Human Rights Council will be available on the website of the Office of the United Nations High Commissioner for Human Rights and will be subsequently included in part one of the final report.

Contents

Part One: Resolutions and decisions

[To be added in the final report]

Part Two: Summary of proceedings

I. Organizational and procedural matters

A. Opening and duration of the session

1. The Human Rights Council held its eighteenth session at the United Nations Office at Geneva from 12 to 30 September 2011. The President of the Council opened the session.

2. In accordance with rule 8 (b) of the rules of procedure of the Council, as contained in part VII of the annex to Council resolution 5/1, the organizational meeting of the eighteenth session was held on 26 August 2011.

3. The eighteenth session consisted of 38 meetings over 15 days.

B. Attendance

4. The session was attended by representatives of States Members of the Council, observer States of the Council, observers for non-Member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations (see annex I).

C. Agenda and programme of work of the session

5. At its 1st meeting, on 12 September 2011, the Council adopted the agenda and programme of work of the eighteenth session.

D. Meetings and documentation

6. The Council held 38 fully serviced meetings during its eighteenth session.

7. The text of the resolutions and decisions adopted by the Council is contained in Part One of the present report.

8. Annex I contains the list of attendance.

9. Annex II contains the agenda of the Council, as included in section V of the annex to Council resolution 5/1.

10. Annex III contains the list of documents issued for the eighteenth session of the Council.

11. Annex IV contains the list of special procedures mandate holders appointed by the Council at its eighteenth session.

E. Visits

12. At the 1st meeting, on 12 September 2011, Foreign Minister of Uruguay, Luis Almagro, Minister of Plantation Industries and Special Envoy of the President on Human Rights of Sri Lanka, Mahinda Samarasinghe, and Minister of Justice, Legislation and Human Rights of Benin, Maitre Maire-Elise Gbedo, delivered statements to the Council.

13. At the 3rd meeting, on 13 September 2011, Foreign Minister of Myanmar, Wunna Maung Lwin, and the Minister of Justice and Human Rights of the Democratic Republic of the Congo, Luzolo Bambi Lessa, delivered statements to the Council.

14. At the 11th meeting, on 16 September 2011, Minister of Justice of the Sudan, Mohamed Bushara Dousa, delivered a statement to the Council.

15. At the 12th meeting, on 19 September 2011, State Secretary for European and International Affairs of Austria, Wolfgang Waldner, delivered a statement to the Council.

16. At the 14th meeting, on 19 September 2011, the President of Costa Rica, Laura Chinchilla Miranda, delivered a statement to the Council.

F. Selection and appointment of mandate holders

17. At its 38th meeting, on 30 September 2011, the Council appointed special procedures mandate holders in accordance with Council resolutions 5/1 (see annex IV).

G. Consideration of and action on draft proposals

H. Adoption of the report of the session

II. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

A. Update by the United Nations High Commissioner for Human Rights

18. At the 1st meeting, on 12 September 2011, the United Nations High Commissioner for Human Rights made a statement providing an update of the activities of her Office.

19. During the ensuing general debate at the same meeting, and at the 2nd meeting, on the same day, the following made statements:

(a) Representatives of States Members of the Council: Austria, Bangladesh, Belgium, China, Republic of the Congo, Costa Rica, Cuba, Czech Republic, Ecuador, Egypt[1] (on behalf of the Non-aligned Movement and the Group of Arab States), India, Indonesia, Italy, Jordan Kyrgyzstan, Malaysia, Maldives, Mexico, Norway, Pakistan[1] (on behalf of the Organization of the Islamic Conference), Philippines, Poland (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Iceland, Liechtenstein, Montenegro, Serbia and The former Yugoslav Republic of Macedonia), Qatar, Republic of Moldova, Romania, Russian Federation, Senegal (on behalf of the Group of African States), Spain, Switzerland, Thailand, United States of America;

(b) Representatives of the following observer States: Afghanistan, Algeria, Australia, Azerbaijan, Brazil, Canada, Egypt, Ethiopia, France, Germany, Honduras, Iran (Islamic Republic of), Japan, Kenya, Morocco, Nepal, Pakistan, Paraguay, Republic of Korea, Sri Lanka, Sudan, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uzbekistan and Viet Nam;

(c) Observers for the following non-governmental organizations: Amnesty International, Asian Forum for Human Rights and Development (Forum-Asia), Canadian HIV/AIDS Legal Network (also on behalf of the European Region of the International Lesbian and Gay Federation), France Libertes: Fondation Danielle Mitterrand, Indian Council of South America, Indian Movement Tupaj Amaru, International Human Rights Association of American Minorities, International Humanist and Ethnical Union, Lawyer's Rights Watch

[1] Observer of the Council speaking on behalf of Member States and observer States.

Canada, Mouvement conte le racism et pour l'amitié entre les peuples (MRAP), North-South XXI and United Nations Watch.

B. Interactive dialogue on human rights in Yemen

20. At the 12th meeting, on 19 September 2011, the Deputy High Commissioner presented the report by the High Commissioner on her Office's visit to Yemen (A/HRC/18/21).

21. At the same meeting, the representative of Yemen made a statement as the concerned country.

22. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Deputy High Commissioner questions:

(a) Representatives of States Members of the Council: Benin, China, Czech Republic, Egypt[1] (on behalf of the Group of Arab States), India, Maldives, Mexico, Norway, Pakistan[1] (on behalf of the Organization of the Islamic Conference), Philippines, Romania, Russian Federation, Saudi Arabia, Spain, Switzerland, Thailand and United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Canada, France, Germany, Greece, Israel, Kuwait, Netherlands, Slovakia, Sudan, Turkey, United Arab Emirates and United Kingdom of Great Britain and Northern Ireland;

(c) Observer for the United Nations entities, specialized agencies and related organizations: United Nations Children's Fund;

(d) Observer for one intergovernmental organization: European Union;

(e) Observer for a non-governmental organization: Amman Center for Human Rights Studies, Amnesty International, Human Rights Information and Training Center, Human Rights Watch and Worldwide Organization for Women (also on behalf of Union of Arab Jurists).

23. At the same meeting, the representative of Yemen made a statement as the concerned country.

24. Also at the same meeting, the Deputy High Commissioner answered questions and made her concluding remarks.

C. Reports of the Office of the United Nations High Commissioner for Human Rights and the Secretary-General

25. At the 8th meeting, on 15 September 2011, the Deputy High Commissioner for Human Rights presented thematic reports prepared by the Office of the High Commissioner and the Secretary-General.

26. At the 8th and 9th meetings, on the same day, the Council held a general debate on thematic reports presented by the Deputy High Commissioner (see Chapter III, D).

D. Consideration of and action on draft proposals

III. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

A. Special Representative of the Secretary-General on children and armed conflict

27. At the 2nd meeting, on 12 September 2011, the Special Representative of the Secretary-General for children and armed conflict, Radhika Coomaraswamy, presented her report (A/HRC/18/38).

28. During the ensuing interactive dialogue at the 3rd meeting, on 13 September 2011, the following made statements and asked the Special Representative questions:

(a) Representatives of States Members of the Council: Austria, Belgium, China, Costa Rica, Cuba, Djibouti, Ecuador, Egypt[1] (also on behalf of the Group of Arab States), India, Indonesia, Italy, Mexico, Norway, Pakistan[1] (on behalf of the Organization of the Islamic Conference), Philippines, Romania, Russian Federation, Senegal (on behalf of the Group of African States), Switzerland, Thailand, United States of America and Uruguay;

(b) Representatives of the following observer States: Afghanistan, Algeria, Armenia, Australia, Azerbaijan, Brazil, Chad, Croatia, France, Georgia, Germany, Greece, Iran (Islamic Republic of), Israel, Morocco, New Zealand, Portugal, Republic of Korea, Sri Lanka, Sudan, Syrian Arab Republic, United Arab Emirates, Venezuela (Bolivarian State of) and Viet Nam;

(c) Observer for Palestine;

(d) Observer for the United Nations entities, specialized agencies and related organizations: United Nations Children's Fund;

(e) Observer for an intergovernmental organization: European Union;

(f) Observers for the following non-governmental organizations: Colombian Commission of Jurists, Defence for Children International, International Muslim Women Union and International Save the Children Alliance.

29. At the same meeting, the Special Representative answered questions and made her concluding remarks.

30. At the 4th meeting, on 13 September 2011, the representatives of Armenia, Azerbaijan, Georgia and the Russian Federation made statements in exercise of the right of reply.

31. At the same meeting, the representatives of Armenia and Azerbaijan made statements in exercise of a second right of reply.

B. Interactive dialogue with special procedures

Independent expert on human rights and international solidarity

32. At the 4th meeting, on 13 September 2011, the independent expert on human rights and international solidarity, Virginia Dandan, presented her oral report.

33. During the ensuing interactive dialogue at the same meeting the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Bangladesh, China, Cuba, Pakistan[1] (on behalf of the Organization of the Islamic Conference) and United States of America;

(b) Representatives of the following observer States: Algeria and Venezuela (Bolivarian Republic of);

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: Associazione Comunita Papa Giovanni XXIII, Federation of Cuban Women, International Association of Peace Messenger Cities, International Institute for Peace, North-South XXI and United School International.

34. At the same meeting, the independent expert answered questions and made her concluding remarks.

Working Group on the use of mercenaries as a means of violating human rights and impeding the right of peoples to self-determination

35. At the 4th meeting, on 13 September 2011, the Chairperson of the Working Group on the use of mercenaries as a means of violating human rights and impeding the right of peoples to self-determination, Faiza Patel, presented the Working Group's reports (A/HRC/18/32 and Add.2–4).

36. At the same meeting, the representatives of Equatorial Guinea, Iraq and South Africa made statements as concerned countries.

37. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Chairperson of the Working Group questions:

(a) Representatives of States Members of the Council: Argentina, China, Cuba, Egypt[1] (on behalf of the Group of Arab States), Pakistan[1] (on behalf of the Organization of the Islamic Conference), Russian Federation, Spain, Switzerland and United States of America;

(b) Representatives of the following observer States: Algeria, Azerbaijan, Egypt, Honduras, Pakistan, United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of);

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for the following non-governmental organizations: Federation of Cuban Women, North-South XXI and United Towns Agency for North-South Cooperation.

38. At the same meeting, the Chairperson of the Working Group answered questions and made her concluding remarks.

Special Rapporteur on contemporary forms of slavery including its causes and consequences

39. At the 6th meeting, on 14 September 2011, the Special Rapporteur on contemporary forms of slavery including its causes and consequences, Gulnara Shaninian, presented her report (A/HRC/18/30 and Add.1 and 2).

40. At the same meeting, the representatives of Peru and Romania made statements as concerned countries

41. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Austria, Botswana, China, Costa Rica, Cuba, Ecuador, Indonesia, Pakistan[1] (on behalf of the Organization of the Islamic Conference), United States of America and Uruguay;

(b) Representatives of the following observer States: Algeria, Brazil, Egypt, Iran (Islamic Republic of), United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of);

(c) Observer for the Holy See;

(d) Observer for the United Nations entities, specialized agencies and related organizations: United Nations Children's Fund;

(e) Observer for an intergovernmental organization: European Union;

(f) Observer for one non-governmental organizations: Franciscans International.

42. At the same meeting, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

43. At the 6th meeting, on 14 September 2011, the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, Calin Georgescu, presented his report (A/HRC/18/31 and Add.2).

44. At the same meeting, the representative of Poland made a statement as concerned country.

45. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: China, Costa Rica, Côte d'Ivoire[1] (on behalf of the Group of African States), Cuba, Indonesia, Norway, Pakistan[1] (on behalf of the Organization of the Islamic Conference), Romania, United States of America and Uruguay;

(b) Representatives of the following observer States: Algeria, Morocco and South Africa;

(c) Observer for an intergovernmental organization: European Union;

(d) Observer for one non-governmental organization: Verein Sudwind Entwicklungspolitik.

46. At the same meeting, the Special Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on the human right to safe drinking water and sanitation

47. At the 8th meeting, on 15 September 2011, the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque, presented her reports (A/HRC/18/33 and Add.1-4).

48. At the same meeting, the representatives of Japan, Slovenia and United States of America made statements as the concerned countries.

49. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: China, Cuba, Ecuador, Germany[1] (also on behalf of Bangladesh, Croatia, France, Maldives, Morocco, Slovenia, Spain and Uruguay), India, Indonesia, Norway, Republic of Moldova, Senegal (on behalf of the Group of African States),Spain, Switzerland and Uruguay;

(b) Representatives of the following observer States: Algeria, Bolivia (Plurinational State of), Brazil, Egypt, Ethiopia, France, Morocco, Portugal, South Africa, Sudan, United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of);

(c) Observers for Palestine;

(d) Observer for the United Nations entities, specialized agencies and related organizations: United Nations Children's Fund;

(e) Observer for an intergovernmental organization: European Union;

(f) Observers for the following non-governmental organizations: Corporate Accountability International, European Disability Forum, Franciscans International, Indian Council of South America and Worldwide Organization for Women.

50. At the same meeting, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

51. At the 16th meeting, on 20 September 2011, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya, presented his reports (A/HRC/18/35 and Add.1-8).

52. At the same meeting, the Chairperson of the Board of Trustees of the Voluntary Trust Fund for Indigenous Populations, Melakou Tegegn, made a statement.

53. Also at the same meeting, the representatives of Republic of the Congo, Costa Rica, Finland, France, Guatemala, New Zealand, Norway, Sweden made statements as concerned countries.

54. At the same meeting, the representatives of National Human Rights Institutions of Guatemala, New Zealand and Norway made statements.

55. During the ensuing interactive dialogue at the same meeting and at the 19th meeting, on 21 September 2011, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Chile, China, Cuba, Ecuador, Guatemala, Mexico, Peru, Russian Federation, United States of America and Uruguay;

(b) Representatives of the following observer States: Australia, Bolivia (Plurinational State of), Brazil, Canada, Colombia, Denmark, Ethiopia, Germany, Panama, Paraguay and Venezuela (Bolivarian Republic of);

(c) Observer for the United Nations entities, specialized agencies and related organizations: United Nations Children's Fund;

(d) Observer for an intergovernmental organization: European Union;

(e) Observer for a national human rights institution: Defensoria del Pueblo, Peru;

(f) Observer for non-governmental organizations: France Libertes: Fondation Danielle Mitterrand, Foundation for Aboriginal and Islander Research Action Aboriginal Corporation, Indian Law Resource Centre, International Association of Schools of Social Work, International Committee for the Indians of the Americas (INCOMINDIOS Switzerland), International Indian Treaty Council, Saami Council, VIVAT International .

56. At the 19th meeting, on 21 September 2011, the Special Rapporteur answered questions and made his concluding remarks.

57. At the same meeting, Wilton Littlechild, member of the Expert Mechanism of the Rights of Indigenous Peoples answered questions and made his concluding remarks.

C. Panels

Panel discussion on the promotion and protection of human rights in the context of peaceful protest

58. At the 5th meeting, on 13 September 2011, the Council held a half-day panel discussion on the promotion and protection of human rights in the context of peaceful protest, in accordance with Council decision 17/120. The Deputy High Commissioner made opening remarks for the panel.

59. At the same meeting, the President of Maldives, Mohamed Nasheed, made a statement as a keynote speaker.

60. At the same meeting, the following panellists made statements: Maina Kiai, Santiago Canton, Michael Hamilton, Lake Tee Khaw and Bahey el-din Hassan.

61. During the first segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: China (also on behalf of Algeria, Bangladesh, Bahrain, Belarus, Bolivia (Plurinational State of), Republic of the Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Iran (Islamic Republic of), Kuwait, Lao People's Democratic Republic, Malaysia, Mauritania, Myanmar, Namibia, Nicaragua, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Sri Lanka, Sudan, Tajikistan, Uganda, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe), Costa Rica, Egypt[1] (on behalf of the Group of Arab States), Indonesia, Russian Federation, Senegal (on behalf of the Group of African States) and Switzerland,;

(b) Representatives of the following observer States: Australia (also on behalf of Canada and New Zealand), Brazil, Nigeria and Turkey;

(c) Observer for Palestine;

(d) Observer for an intergovernmental organization: European Union;

(e) Observers for the following non-governmental organizations: Asian Forum for Human Rights and Development and International Federation for Human Rights Leagues.

62. During the second segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Cuba, Norway, Thailand and United States of America;

(b) The representative of an observer State: United Kingdom of Great Britain and Northern Ireland;

(c) Observer for one non-governmental organization: Press Emblem Campaign.

63. At the same meeting, the following panellists answered questions: Maina Kiai, Santiago Canton, Michael Hamilton, Lake Tee Khaw and Bahey el-din Hassan.

Panel discussion on the realization of the right to development

64. At the 7th meeting, on 14 September 2011, the Council held a panel discussion on the realization of the right to development in accordance with Council decision 16/117. The High Commissioner made opening remarks for the panel.

65. At the same meeting, the following panellists made statements: Ariranga G. Pillay, Virginia Dandan and Joseph K. Ingram.

66. Also at the same meeting, Tamara Kunanayakam, Chairperson-Rapporteur of the Working Group on the Right to Development made a statement.

67. During the first segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Burkina Faso, , China, Cuba, Egypt[1] (on behalf of the Non-Aligned Movement), India, Qatar, United States of America and Uruguay

(b) Representatives of the following observer States: Brazil, Germany, Honduras (also on behalf of Costa Rica) and Morocco;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for the following non-governmental organizations: Indian Council of South America and North South XXI.

68. During the second segment of the ensuing discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Belgium, Ecuador, Italy, Norway, Pakistan[1] (on behalf of the Organization of Islamic Conference), Saudi Arabia and Thailand;

(b) Representatives of the following observer States: Egypt, Ethiopia, France, Iran (Islamic Republic of), South Africa and Venezuela (Bolivarian Republic of);

(c) Observer for the United Nations entities, specialized agencies and related organizations: United Nations Development Programme;

(d) Observers for the following non-governmental organizations: Hope International and Rencontre Africaine pour la Défense des Droits de l'Homme

69. At the same meeting, the following panellists answered questions and made their concluding remarks: Ariranga G. Pillay, Virginia Dandan and Joseph K. Ingram.

Panel discussion on the realization of the right to health of older persons

70. At the 10th meeting, on 16 September 2011, the Council held a half-day panel discussion on the realization of the right to health of older persons, in accordance with Council resolution 15/22. The High Commissioner made opening remarks for the panel.

71. At the same meeting, the following panellists made statements: Anand Grover, Chung Chinsung, Alexandre Kalache, Helena Nygren-Krug and Bridget Sleap.

72. During the first segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: China, Egypt[1] (on behalf of the Group of Arab States), Indonesia (on behalf of member States of the Association of Southeast Asian Nations), Pakistan[1] (on behalf of the Organization of the Islamic Conference), Peru, Saudi Arabia, Senegal (on behalf of the Group of African States) and Uruguay;

(b) Representatives of the following observer States: Argentina, Brazil and Nepal;

(c) Observer for the Holy See;

(d) Observer for an intergovernmental organization: European Union;

(e) Observers for the following non-governmental organizations: European Disability Forum and Federation for Cuban Women.

73. During the second segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Bangladesh, Cuba, Ecuador, Indonesia, Qatar, Russian Federation, Spain and United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Germany, Israel, Kuwait, Morocco, Turkey and Venezuela (Bolivarian Republic of);

(c) Observers for the following non-governmental organizations: International Association for Democracy in Africa and International Institute for Peace.

74. At the same meeting, on the same day, the following panellists answered questions:Anand Grover, Chung Chinsung, Alexandre Kalache, Bridget Sleap and Helena Nygren-Krug.

Panel discussion on the role of languages and culture in the protection of well-being and identity of indigenous peoples

75. At the 17th meeting, on 20 September 2011, the Council held a half-day panel discussion on the role or languages and culture in the protection of well-being and identity of indigenous peoples, in accordance with Council resolution 15/7. The Deputy High Commissioner made opening remarks for the panel.

76. At the same meeting, the following panellists made statements: James Anaya, Vital Bambanze, Lester Coyne and Javier Lopez Sanchez.

77. During the first segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Chile, Guatemala, Mexico, Norway and Peru;

(b) Representatives of the following observer States: Australia, Bolivia (Plurinational State of), Brazil, Canada, and Nepal;

(c) Observer for an intergovernmental organization: European Union;

(d) Observer for a national human rights institution: Human Rights Commission of Malaysia;

(e) Observers for the following non-governmental organizations: European Bureau for Lesser Used Languages and International Work Group for Indigenous Affairs.

78. During the second segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representative of a State Member of the Council: Russian Federation;

(b) Representatives of the following observer States: Denmark, Finland, Honduras, New Zealand, Panama and Paraguay;

(c) Observers for the following non-governmental organizations: International Committee for the Indians of the Americas (INCOMINDIOS Switzerland) and Mouvement contre le racisme et pour l'amitié entre les peuples.

79. At the same meeting, the following panellists answered questions: James Anaya, Vital Bambanze, Wilton Littlechild, Lester Coyne and Javier Lopez Sanchez.

D. General debate on agenda item 3

80. At the 8th and 9th meetings, on 15 September 2011, the Council held a general debate on thematic reports under agenda items 2 and 3, during which the following made statements:

(a) Representatives of States Members of the Council: Argentina, Bangladesh, Poland (also on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, Republic of Moldova, Serbia, The former Yugoslav Republic of Macedonia, Turkey and Ukraine), Botswana, Burkina Faso, Costa Rica, Cuba, Hungary, Indonesia, Senegal (on behalf of the Group of African States), Norway, Russian Federation, Spain, Switzerland and United States of America;

(b) Representatives of the following observer States: Algeria, Argentina, Armenia, Australia, Belarus, Bolivia (Plurinational State of), Canada, Egypt, Namibia, New Zealand, Pakistan and Sudan;

(c) Observer for the Holy See;

(d) Observer for the United Nations entities, specialized agencies and related organizations: United Nations Population Fund (also on behalf of the World Health Organization and the United Nations Children's Fund);

(e) Observers for the following non-governmental organizations: Agence Internationale pour le Développement, Agir Emsemble pour les Droits de l'Homme, Canners International Permanent Committee, Center for Environmental and Management Studies, Center for Human Rights, Peace and Advocacy, Centrist Democratic International, Colombian Commission of Jurists, Commission to Study the Organization of Peace, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples, Commission to Study the Organization of Peace, Defence for Children International (also on behalf of International Save the Children Alliance), European Union of Public Relations, Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos, France Libertes: Fondation Danielle Mitterrand, Incomindios, Indian Council of South America, Indian Movement Tupaj Amaru (also on behalf of World Peace Council), International Association against Torture, International Association for Democracy in Africa, International Educational Development, Inc., International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Peace, International Islamic Federation of Student Organizations, International Service for Human Rights, Lawyers Rights Watch Canada, Mouvement contre le racisme et pour l'amitié entre les peuples, Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale - OCAPROCE Internationale, Press Emblem Campaign, Save the Children International, Society for Threatened Peoples, Union de l'action féminine, United Schools International, United Nations Watch, United Towns Agency for North-South Cooperation, World Environment and Resources Council and World Muslim Congress.

81. At the 9th meeting, on 15 September 2011, a statement in exercise of the right of reply was made by the representative of China.

E. Consideration of and action on draft proposals

IV. Human rights situations that require the Council's attention

A. Interactive dialogue on country situations

Interactive dialogue with the International Commission of Inquiry on Libya

82. At the 12th meeting, on 19 September 2011, Philippe Kirsch presented an oral report on behalf of the International Commission of Inquiry on Libya.

83. At the same meeting, the representative of Libya made a statement as the concerned country.

84. During the ensuing interactive dialogue at the same meeting and at the 13th meeting, on the same day, the following made statements and asked the Deputy High Commissioner questions:

(a) Representatives of States Members of the Council: Austria, Belgium, Botswana, Chile, China, Cuba, Czech Republic, Egypt[1] (on behalf of the Group of Arab States), India (also on behalf of Brazil and South Africa), Indonesia, Italy, Jordan, Maldives, Mexico, Nigeria, Norway, Qatar, Russian Federation, Spain, Switzerland, Thailand and United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Bosnia and Herzegovina, Canada, Croatia, Denmark, Egypt, France, Germany, Iraq, Japan, Kuwait, Lebanon, Morocco, Portugal, Republic of Korea, Slovakia, Sudan, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of) and Viet Nam;

(c) Observer for one intergovernmental organization: European Union;

(d) Observer for a non-governmental organization: Human Rights Watch, Indian Movement Tupaj Amaru (also on behalf of World Peace Council), International Human Rights Association of American Minorities and Press Emblem Campaign.

85. At the same meeting, the representative of Libya made a statement as the concerned country.

86. Also at the same meeting, Philippe Kirsch answered questions and made his concluding remarks

Interactive dialogue on the situation of human rights in Syrian Arab Republic

87. At the 14th meeting, on 19 September 2011, the Deputy High Commissioner presented the report of the High Commissioner on the situation of human rights in the Syrian Arab Republic on behalf of the High Commissioner.

88. At the same meeting, the representative of the Syrian Arab Republic made a statement as the concerned country.

89. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Deputy High Commissioner questions:

(a) Representatives of States Members of the Council: Austria, Belgium, Botswana, Chile, China, Cuba, Czech Republic, India, Indonesia, Italy, Maldives, Mexico, Norway, Romania, Russian Federation, Spain, Switzerland, Thailand, United States of America and Uruguay;

(b) Representatives of the following observer States: Australia, Belarus, Canada, Croatia, Democratic People's Republic of Korea, Denmark, France, Germany, Iran (Islamic Republic of), Israel, Japan, Kuwait, Portugal, Republic of Korea, Slovakia, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of);

(c) Observer for one intergovernmental organization: European Union;

(d) Observer for a non-governmental organization: Cairo Institute for Human Rights Studies, International Commission of Jurists, Mouvement contre le racisme et pour l'amitié entre les peuples and Rencontre Africaine pour la defense des droits de l'homme.

90. At the same meeting, the Deputy High Commissioner answered questions and made her concluding remarks.

Interactive dialogue on the situation of human rights in Belarus

91. At the 15th meeting, on 20 September 2011, the Deputy High Commissioner presented the oral report of the High Commissioner on the situation of human rights in Belarus on behalf of the High Commissioner.

92. At the same meeting, the representative of Belarus made a statement as the concerned country.

93. During the ensuing interactive dialogue at the 19th meetings, on 21 September 2011, and at the 22nd meeting, on 22 September 2011, the following made statements and asked the Deputy High Commissioner questions:

(a) Representatives of States Members of the Council: Angola, Austria, Bangladesh, Belgium, Botswana, China, Cuba, Czech Republic, Hungary, India, Mexico, Norway, Philippines, Russian Federation, Switzerland, United States of America and Uruguay;

(b) Representatives of the following observer States: Armenia, Azerbaijan, Bahrain, Canada, Democratic People's Republic of Korea, Denmark, France, Germany, Iran (Islamic Republic of), Kazakhstan, Latvia, Lithuania, Myanmar, Pakistan, Slovakia, Sweden, Syrian Arab Republic, Turkmenistan, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe;

(c) Observer for one intergovernmental organization: European Union;

(d) Observer for a non-governmental organization: Amnesty International, CIVICUS-World Alliance for Citizen Participation, Human Rights House Foundation, Indian Movement Tupaj Amaru (also on behalf of World Peace Council) and International Federation of Human Rights Leagues (also on behalf of World Organization Against Torture).

94. At the 22nd meeting, on 22 September 2011, the representative of Belarus made a statement as the concerned country.

95. At the same meeting, the Deputy High Commissioner answered questions and made her concluding remarks.

B. Interactive dialogue with special procedures

Independent expert on the situation of human rights in the Sudan

96. At the 14th meeting, on 19 September 2011, the Independent expert on the situation of human rights in the Sudan, Mohammed Chande Othman, presented his reports (A/HRC/18/40 and Add.1).

97. At the same meeting, the representatives of the Sudan and South Sudan made statements as concerned countries.

98. During the ensuing interactive dialogue at the 15th meeting, on 20 September 2011, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Austria, Bangladesh, Belgium, Benin, Burkina Faso, China, Czech Republic, Egypt[1] (on behalf of the Group of Arab States), India, Maldives, Mexico, Norway, Pakistan[1] (on behalf of the Organization of the Islamic Conference), Qatar, Romania, Russian Federation, Saudi Arabia, Senegal (on behalf of the Group of African States), Spain, Switzerland, Thailand and United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Bahrain, Brazil, Canada, Denmark, Egypt, Ethiopia, France, Germany, Ireland, Japan, Kuwait, Lebanon, Netherlands, Oman, Republic of Korea, Slovakia, Slovenia, Sweden, Syrian Arab Republic, Turkey, United Arab Emirates and United Kingdom of Great Britain and Northern Ireland;

(c) Observer for one intergovernmental organization: European Union;

(d) Observer for a non-governmental organization: Action internationale pour la paix et le développement dans la région des Grands Lacs, Al Zubair Charitable Foundation (also on behalf of Eastern Sudan Women Development Organization and Sudan Council of Voluntary Agencies), Amnesty International, Comité International pour le Respect et l'application de la Charte Africaine des Droits de l'Homme et des Peuples, Human Rights Watch and Maarij Foundation for Peace and Development (also on behalf of Eastern Sudan Women Development Organization and Sudan Council of Voluntary Agencies).

99. At the 15th meeting, on 20 September 2011, the representatives of Sudan and South Sudan made statements as concerned countries.

100. At the same meeting, the independent expert answered questions and made his concluding remarks.

C. General debate on agenda item 4

101. At its 22nd meeting, on 22 September 2011, and at the 24th and 26th meetings on 23 September 2011, the Council held a general debate on agenda item 4, during which the following made statements:

(a) Representatives of States Members of the Council: Austria, Belgium, China, Cuba, Czech Republic, Norway, Poland (on behalf of the European Union, Albania, Bosnia

and Herzegovina, Croatia, Iceland, Liechtenstein, Montenegro and The former Yugoslav Republic of Macedonia), Romania, Spain, Switzerland and United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Belarus, Canada, Denmark, France, Germany, Iran (Islamic Republic of), Ireland, Japan, Morocco, Slovakia, Slovenia, Sweden and United Kingdom of Great Britain and Northern Ireland;

(c) Observers for the following non-governmental organizations: Agence Internationale pour le Developpement, Amnesty International, Arab Lawyers Union (also on behalf of General Arab Women Federation, International Educational Development, International Organization for the Elimination of All Forms of Racial Discrimination, Union of Arab Jurists and United Town Agency for South), Asian Forum for Human Rights and Development, Baha'i International Community, Cairo Institute for Human Rights Studies, Canners International Permanent Committee, Center for Environment and Management Studies, Centre for Human Rights and Peace Advocacy, Centrist Democratic International, CIVICUS - World Alliance for Citizen Participation, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples, Commission to Study the Organization of Peace, Eastern Sudan Women Development Organization (also on behalf of Child Development Foundation, International Women Bond, Society studies center and Sudan Council of Voluntary Agencies), Espace Afrique International, France Libertés: Fondation Danielle Mitterrand (also on behalf of Mouvement contre le racisme et pour l'amitié entre les peuples), Human Rights House Foundation, Human Rights Watch, Indian Council of South America, International Association for Democracy in Africa, International Buddhist Relief Organisation, International Committee for the Indians of the Americas, International Educational Development, International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Peace, International Islamic Federation of Student Organizations, International Movement Against All Forms of Discrimination and Racism (also on behalf of Lawyers Rights Watch Canada), Liberation, Marangopoulos Foundation for Human Rights, Mouvement contre le racisme et pour l'amitié entre les peuples (also on behalf of France Libertés: Fondation Danielle Mitterrand, International Educational Development, Inc. and Women's Human Rights International Association), Network of Women's Non-governmental Organizations in the Islamic Republic of Iran, Rencontre Africaine pour la défense des droits de l'homme, Society for Threatened Peoples (also on behalf of International Educational Development, Mouvement contre le racisme et pour l'amitié entre les peuples and Rencontre africaine pour la defense des Droits de l'Homme), Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale-OCAPROCE Internationale, Syriac Universal Alliance, Tchad agir pour l'environment, Union de l'action feminine, United Nations Watch, United Town Agency for North-South Cooperation, Verein Sudwind Entwicklungspolitik, Women Human Rights International Association, World Environment and Resources Council, World Federation of Trade Unions and World Muslim Congress.

102. At the 23rd meeting, on 22 September 2011, statements in exercise of the right of reply were made by the representatives of Azerbaijan, Bahrain, China, Democratic People's Republic of Korea, Venezuela (Bolivarian Republic of) and Zimbabwe.

103. At the 26th meeting, on 23 September 2011, statements in exercise of the right of reply were made by the representatives of Algeria, Azerbaijan, China, Cuba, the Democratic People's Republic of Korea, Egypt, the Islamic Republic of Iran, Japan, Morocco, Myanmar, Russian Federation, Sri Lanka, the Sudan, Syrian Arab Republic, Uzbekistan and Zimbabwe.

104. At the same meeting, statements in exercise of a second right of reply were made by the representatives of Algeria, the Democratic People's Republic of Korea, Japan and Morocco.

V. Human rights bodies and mechanisms

A. Complaint Procedure

105. At the 11th meeting, on 11 September 2011, and at the 29th meeting, on 27 September 2011, the Council held two closed meetings of the complaint procedure.

106. At the 30th meeting, on 27 September 2011, the President made a statement on the outcome of the meetings, stating: "The Human Rights Council has in closed meetings examined the human rights situations in Tajikistan and in the Democratic Republic of the Congo under the Complaint Procedure established pursuant to Human Rights Council resolution 5/1, and has decided to discontinue its consideration of the human rights situation in Tajikistan and to keep under review the human rights situation in the Democratic Republic of the Congo as well as to recommend that the Office of the High Commissioner for Human Rights Provide the Democratic Republic of the Congo with technical cooperation, capacity-building, assistance or advisory services as needed in both situations examined under the Complaint Procedure."

B. Expert Mechanism on the rights of indigenous peoples

107. At the 16th meeting, on 20 September 2011, the Chairperson-Rapporteur of the expert mechanism on the rights of indigenous peoples, Vital Bambanze, presented the reports of the expert mechanism (A/HRC/18/42 and A/HRC/18/43).

108. At the same meeting, and at the 19th meeting, on 21 September 2011, the Council held an interactive dialogue on the situation of human rights and fundamental freedoms of indigenous peoples (see paragraphs 51-57).

C. General debate on agenda item 5

109. At its 19th meetings, on 21 September 2011, the Council held a general debate on agenda item 5, during which the following made statements:

(a) Representatives of States Members of the Council: Latvia[1] (also on behalf of Albania, Andorra, Armenia, Australia, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Lebanon, Liechtenstein, Lithuania, Luxembourg, Maldives, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay), Norway (also on behalf of Argentina, Chile, Maldives, Mexico, Sweden, Switzerland, Thailand, Turkey and United Kingdom of Great Britain and Northern Ireland), Poland (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, Serbia, The former Yugoslav Republic of Macedonia, Turkey and Ukraine) and Republic of Moldova;

(b) Observers for the following non-governmental organizations: Cairo Institute for Human Rights Studies, Centre for Human rights and Peace Advocacy, Colombian Commission of Jurists, Commission of International Affairs of the World Council of Churches (also on behalf of Earth Justice), France Libertés : Fondation Danielle Mitterrand Incomindios, Indian Council of Education, Indian Council of South America, Indian Movement Tupaj Amaru, International Buddhist Relief Organisation, International Institute for Non-Aligned Studies, Liberation, Network of Women's Non-governmental Organizations in the Islamic Republic of Iran, Nord-Sud XXI, Permanent Assembly for Human Rights, Rencontre Africaine pour la

défense des droits de l'homme, Syriac Universal Alliance and Verein Sudwind Entwicklungspolitik.

D. Consideration of and action on draft proposals

VI. Universal periodic review

110. Pursuant to General Assembly resolution 60/251, Council resolution 5/1 and President's statements PRST/8/1 and PRST/9/2 on modalities and practices for the universal periodic review process, the Council considered the outcome of the reviews conducted during the eleventh session of the Working Group on the Universal Periodic Review held from 2 to 13 May 2011.

A. Consideration of universal periodic review outcomes

111. In accordance with paragraph 4.3 of President's statement 8/1, the following section contains a summary of the views expressed on the outcome by States under review, Member and Observer States of the Council, as well as general comments made by other relevant stakeholders before the adoption of the outcome by the plenary.

Belgium

112. The review of Belgium was held on 2 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Belgium in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/BEL/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/BEL/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/BEL/3).

113. At its 18th meeting, on 21 September 2011, the Council considered and adopted the outcome of the review of Belgium (see section C below).

114. The outcome of the review of Belgium comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/3), the views of Belgium concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

115. His Excellency Ambassador Roux of Belgium expressed his gratitude to the delegates of the Troika and the UPR Secretariat for their commitment, support and cooperation during the review of Belgium. He referred to the presence of the Minister of Foreign Affairs of Belgium, Steven Vanackere during the UPR Working Group that showed Belgium's commitment to human rights and the importance it attached to the UPR.

116. Ambassador Roux referred to the commitments made by Belgium during its election to the Human Rights Council to engage to promote and protect human rights, convinced that civil, political, economic, social and cultural rights are universal, indivisible, interdependent and intrinsically linked.

117. Belgium's aim during the UPR was to accept as many recommendations as possible and, as reflected in the Working Group report, Belgium immediately accepted the vast majority, 85 out of 121. Moreover, Belgium noted that 26 of the accepted recommendations had been implemented already or were being implemented.

118. These recommendations include, inter alia: the ratification of international instruments, the fight against racism, asylum and migration policies, the penitentiary system, violence against women, the fight against sexual exploitation of children, LGBT rights, and disability rights.

119. Belgium has accepted to establish a national human rights institution in accordance with the Paris Principles, the strengthening of its asylum and migration policies, the revision of its penitentiary conditions, and the ratification of four of its international instruments, notably the Convention on Forced Disappearances, the OPCAT, the Optional Protocol to ICESR, and the Third Protocol to the Geneva Convention of 12 August 1949.

120. Since May 2011, the Belgian authorities have turned their attention to the follow up on these recommendations.

121. Hence on 2 June 2011, Belgium ratified the Convention on Forced Disappearances. The process of the ratification of the Optional Protocol to ICESR and the OPCAT is on-going, and a working group has been created for the establishment of a national human rights institution under the direction of the Federal Justice Service. Meanwhile, other federal and federated institutions have taken the lead on the implementation of the other recommendations.

122. With regard to pending recommendations, Belgium was currently not in a position to accept recommendations 102.1, 2 and 3 regarding the lifting of its reservations on the ICCPR. A more thorough analysis on lifting parts of the reservations to ICPPR and other human rights Conventions was underway. At the same time, Belgium agreed to reconsider the interpretative declaration made under Article 4 of ICERD.

123. It was also not possible for Belgium to withdraw the declaration made under article 2 of the CRC (recommendation 102.7), regarding non-discrimination. It considered this declaration to be in conformity with the interpretation of article 2 given by its Constitutional Court, the European Court for Human Rights, and the Committee on the Rights of the Child.

124. Belgium did not accept to elaborate a National Action Plan for human rights (recommendations102.5 and 6) as it has developed a sectorial approach to the promotion and protection of human rights by having drawn up several action plans on priority areas. The establishment of a national human rights institution, as accepted during the UPR Working Group, will not be done via a national plan. The institution will be established bearing in mind the division of competencies and the institutional reality of the federal structure.

125. Belgium rejected recommendation 102.9 to modify its Criminal Code, explaining that sexual violence was already defined as a crime under Title VII of the Criminal Code and had no incidence over the priority given to the prosecution and investigation of that crime. The requested modification would therefore have only a symbolic effect and would be difficult to implement in the legislative process. Belgium did, however, accept to extend its national action plan against domestic violence and all forms of violence against women and girls (recommendations 102.10 and 12). It explained that certain forms of violence, committed in other contexts, were already addressed in the national action plan against human trafficking.

126. Belgium also accepted to circulate and implement the Bangkok rules in the framework of its reform of the judicial system (recommendation 102.13).

127. With regard to the renewal of its Action Plan against the sexual exploitation of children for commercial purposes (recommendation 102.8), Belgium reiterated that this issue was linked to trafficking of human beings as well as sexual tourism. An Action Plan against

trafficking of human beings that focuses particularly on minor victims had been adopted in 2008. A working group on "minors travelling alone" had also been established in the Asylum and Migration Department. The Belgian authorities therefore consider that the adoption of a specific action plan on that subject may present a risk of overlapping with the latter mechanisms and therefore did not support this recommendation.

128. On issues related to minorities (recommendations 102.4 and 11), Belgium had made a reservation to the concept of "national minority" upon signing the "Convention-cadre" for the protection of minorities. Meanwhile, a working group has been convened but until today no agreement had been reached on a definition.

129. Finally, Ambassador Roux, stressed that Belgium has voluntarily committed itself to submit a mid-term report to the Human Rights Council in 2013, to provide an overview on the progress achieved.

130. He also referred to the closing remarks made by the Minister of Foreign Affairs Vanackere on 2 June 2011, regarding the continuous efforts of the authorities to work closely with civil society on the implementation of the UPR recommendations, as testified by the meeting held with NGOs on 21June 2011.

2. Views expressed by Member and observer States of the Council on the review outcome

131. Algeria noted with satisfaction that Belgium accepted many recommendations. Algeria also highly valued the fact that Belgium accepted two of its recommendations. Considering that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families set up the most extensive international framework for the protection of this group, Algeria recommended that Belgium adhere to it. Algeria hoped that Belgium would reconsider the rejection of this recommendation, taking into account Recommendation 1737 of 17 March 2006 of the Parliamentary Assembly of the Council of Europe.

132. Belarus hoped that Belgium would successfully implement all accepted recommendations and improve its measures aimed at combating trafficking in persons. Belarus regretted that some recommendations were not accepted, such as those relating to the elimination of discrimination against migrant workers, the excessive use of force by the police during mass events or the deportation of foreigners. Belarus further regretted that Belgium rejected a recommendation to prevent acts of xenophobia and racial intolerance. It called upon Belgium to take measures to prevent discrimination against ethnic and racial minorities and to introduce a legislative prohibition of organisations and political parties propagating hatred and racial discrimination.

133. Morocco noted with satisfaction the existence of a mechanism to follow up on forced deportation and assistance to asylum seekers and the actions taken to combat racism notably by the Centre for Equal Opportunities. Morocco considered as best practices the National Commission on the Rights of the Child and the measures taken to promote equal opportunity and combating domestic violence. Morocco appreciated the measures taken by Belgium to protect migrants, freedom of religion. It praised the efforts made by Belgium to improve human rights education. Morocco hoped that Belgium would consider implementing the recommendations it had made on human rights education and training for public officials.

134. Iran (Islamic Republic of) regretted that most of the recommendations it made had been rejected although they aimed at protecting human rights of ethnic, linguistic and religious minorities. Iran referred to the 2011 anti-Hijab law, which violated the right of women to practice their religion and aggravated the Islamophobic atmosphere prevailing in Belgium. Iran called upon Belgium to abolish that law. It remained concerned regarding racism and racial discrimination and the rights of migrants and other minorities in Belgium. It urged Belgium to reconsider its position towards unaccepted recommendations on these issues.

135. Romania welcomed the fact that Belgium prepared its national report with a broad participation of civil society. It stated that Belgium had the legal and institutional mechanisms to meet its current human rights challenges. Romania noted the institutional and legal framework aimed at combating discrimination and human trafficking and protecting the rights of the child. Romania welcomed Belgium's acceptance to create a national human rights institution in accordance with the Paris Principles.

3. General comments made by other relevant stakeholders

136. The Islamic Human Rights Commission (IHRC) expressed concern at the discrimination experienced by women wearing face-veil or headscarf. It stated that banning girls from wearing headscarf at schools might lead to increased educational exclusion and social deprivation. IHRC further stated that sanctioning women for wearing face-veil in public spaces by fines or imprisonment was in violation of the Belgian Constitution. While recalling the consistent jurisprudence of the European Court of Human on the right to freedom of religion, IHRC added that Belgium should comply with human rights standards that they were party to. IHRC urged Belgium to provide their citizens the right of practice their religion without government interference or approval and to abolish all unreasonable laws against women.

137. The European Region of the International Lesbian and Gay Federation (ILGA-Europe) encouraged Belgium to eliminate discrimination based on gender identity by developing awareness raising programmes and addressing this issue in school curricula. It also recommended Belgium to explicitly include sexual orientation and gender identity as grounds for discrimination in its Constitution. ILGA-Europe also recommended that Belgium abolish the requirement of surgery leading to sterilisation for transsexual people. It encouraged Belgium to share best practices on the fight of discrimination based on gender identity or sexual orientation and to continue to use the Yogyakarta Principles.

138. The International Commission of Jurists (ICJ) welcomed the fact that Belgium accepted many recommendations on the rights of asylum seekers. ICJ stated that their implementation warranted urgent attention and recalled that the European Court of Human Rights had ruled that Belgium had violated the principle of non-refoulement in automatically transferring an asylum-seeker to Greece. While Belgium froze this procedure in October 2010, ICJ stated that Belgium should take steps to formally abolish mechanisms of automatic expulsion that failed to take into consideration the non-refoulement principle. ICJ also urged Belgium to reconsider its position on the ratification of International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

139. Amnesty International (AI) welcomed Belgium's commitment to involve civil society in its UPR follow-up. AI also welcomed the acceptance of the majority of the recommendations and the commitment to present a progress report in 2013. AI applauded Belgium for accepting the establishment of a national human rights institution and welcomed its support for the ratification of OP-CAT and OP-ICESR. AI noted that Belgium accepted the recommendation to provide shelter and assistance to asylum-seekers, while over 1,400 of them were homeless in 2011. It expressed concern at the fact that asylum-seekers, who apply for asylum at the border, were still routinely detained contrary to what Belgium ascertained. AI urged Belgium to use detention as a measure of last resort and to reflect such a provision in law.

4. Concluding remarks of the State under review

140. In his concluding remarks, Ambassador Roux thanked the Troika, the secretariat and the intervening delegations. He addressed two points that were discussed during the session and were contained in the Working Group report. First, with regard to the issue of migrant workers, he referred to paragraph 36 of the UPR Working Group report that explained Belgium's position. This was a matter of concern not only to Belgium but to the European Union as a whole. Second, in reply to the delegation of the Islamic Republic of Iran and the Islamic Human Rights Commission on the question of the veil, Ambassador Roux mentioned paragraph 42 of the Working Group report. He highlighted the openness of Belgian society and the challenges it faced due to its multiculturalism.

141. Ambassador Roux stressed the existence of structures and mechanisms to ensure that civil society exercised its rights and that federal and federated authorities take into account its views. Bearing in mind the evolving situation in Belgium, he committed to come back to the Human Rights Council 2013 for a mid-term review.

Denmark

142. The review of Denmark was held on 2 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Denmark in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/DNK/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/DNK/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/DNK/3).

143. At its 18th meeting, on 21 September 2011, the Council considered and adopted the outcome of the review of Denmark (see section C below).

144. The outcome of the review of Denmark comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/4), the views of Denmark concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/18/4/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

145. The delegation was honored to address the plenary meeting devoted to the adoption of the outcome of Denmark's first Universal Periodic Review (UPR). It has been their privilege to be given this opportunity to engage in an open and constructive dialogue with members of the Human Rights Council and observer states on the human rights situation in Denmark.

146. The delegation emphasized its strong support of the UPR mechanism and having taken part in the process, they now have an even better understanding of the important role the UPR plays in promoting human rights domestically and internationally.

147. The delegation discussed the UPR as a mechanism with a true potential to improve human rights on the ground for the benefit of all individuals around the world. They believed it provided each involved state with a clear target and a tool box for the development of the domestic human rights agenda, and it represented a unique opportunity to states to undertake an open and candid debate on human rights among peer states and with civil society. For particularly those reasons, Denmark strongly supports the UPR mechanism.

148. The delegation emphasized the fact that the UPR process had received considerable attention and without doubt raised the general awareness of human rights in Denmark. The attention was important and constituted a key element in the continuous improvement of the human rights situation in Denmark as well as in other states.

149. The delegation took the opportunity to thank all members and observers of the Human Rights Council for their active contribution to a meaningful and credible dialogue on the Danish domestic human rights situation and their efforts to meet their international obligations in this respect. The recommendations and constructive input received from other peer states and civil society organizations are the result of hard work and knowledge. In this regard, the delegation highlighted the particular role of civil society. From the outset of the process, and in line with the guidelines of the Human Rights Council, it has been their ambition to present a national report that was reflective of society as a whole and not merely a product of various government offices. Looking back at the entire process, the inclusion of civil society has proven to be one of its strongest features and has added significant value to the Danish process.

150. Denmark received 133 recommendations of which 82 have been agreed to while 51 have not been accepted. In many cases, the reason for not agreeing to a recommendation does not pertain to substance. The recommendations focus on 9 over-all thematic issues: International obligations, the rights to equality and non-discrimination, human rights of migrants, legal rights and detention, freedom of expression, women's rights, children's rights, development policy, and Greenland and the Faroe Islands. The delegation informed that all recommendations have been subject to careful scrutiny and all relevant authorities have been involved.

151. The delegation draw the attention of the Human Rights Council to the fact that last week general elections were held in Denmark and that a new government had not yet taken office.

152. The delegation acknowledged that human rights challenges existed in Denmark – as they do elsewhere – and that the UPR process continued to be an important factor in addressing those challenges.

153. The delegation highlighted the role of civil society involvement, including public hearings in the largest cities in Denmark and in Greenland and the Faroe Islands, as this had been a vital part of the Danish Government's initial scrutiny of the recommendations received.

154. The delegation expressed its gratitude to all parties involved for their invaluable support during the UPR process and thanked the Troika and the Secretariat for the constructive and effective cooperation.

2. Views expressed by Member and observer States of the Council on the review outcome

155. Algeria noted the acceptance of 82 of 133 recommendations, in different areas of human rights protection. Algeria was pleased to see the willingness of the government to employ supplementary efforts to the fight against racism, racial discrimination, xenophobia and intolerances associated to it. It was pleased with the acceptance of its recommendations concerning the taking of appropriate measures to ensure that search and arrest zones were not established based on racial, ethnic or religious considerations, which could be assimilated to racial, ethnic, or religious profiling. Algeria appreciated Denmark's decision not to abrogate article 266b of the criminal code guaranteeing that racial hate, hate speech, did not remain unpunished. It took note of the decision not to accept the recommendation to adhere to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. If Denmark aligned itself with recommendation no. 1737 of 17 March 2006 of the Parliamentary Assembly of the Council of Europe, Algeria would encourage Denmark to ensure that the migrants have their fundamental rights adhered to.

156. The Islamic Republic of Iran thanked Denmark for its report delivered to the Council. Fortunately, a number of the recommendations provided by different delegations during the UPR Working Group, including Iran hoped that a number of recommendations that had been examined by the Government would be implemented by Denmark. Iran remained concerned over a number of human rights violations in the country, especially with regard to the lack of respect for other religions, prevalence of hate speech as well as incitement to hatred and defamation of Islamic religious symbols and personalities and Islamophobia, the forcible return of asylum-seekers to third countries where they may face the danger of persecution or serious harm and the lack of legislations protecting women, who are victims of domestic violence and sexual abuse. Iran called upon the government to continue its efforts to prevent and combat violence against women and domestic violence, in particular in the Faroe Islands and Greenland and to incorporate international human rights instruments, to which is a party into the legal system as well as to ratify the International Convention on the Protection of the Rights of all Migrant Workers and Members of their families.

157. Romania acknowledged the high level of respect for human rights upheld by Denmark and expressed its appreciation for the open and transparent way in which the country approached the UPR exercise as Denmark prepared the UPR in close cooperation with civil society, as well as with the involvement of the authorities in Greenland and Faroe Islands. Romania commended the openness of the Danish delegation in answering the issues raised in the interactive dialogue, showing full availability of the Danish authorities to tackle the outstanding issues and to implement the accepted recommendations. Romania was looking forward to see progress in the implementation of recommendations related, in particular, to combating discrimination of women and protection of victims of domestic violence.

3. General comments made by other relevant stakeholders

158. The Danish Institute for Human Rights acknowledged Denmark's dedication to the UPR process but regretted that it accepted only 82 of the 133 recommendations it received, focusing on matters Denmark considered already addressed. It encouraged Denmark to reconsider its position regarding the following: a systematic approach to promotion and protection of human rights, including a national action plan; ratification of core conventions, incorporating them into Danish law and accepting individual complaint mechanisms under international law; setting up strong and independent institutions including an Ombudsperson for children; adequate funding for national institutions, including in Greenland and the Faroe Islands; and specifying how accepted recommendations would be implemented. It indicated that it would strive to ensure that the questions and recommendations from the Human Rights Council would be included in further dialogues in Denmark.

159. The Islamic Human Rights Commission highlighted the continuous discrimination towards Muslim citizens in Denmark. It noted that Muslims have been removed from boarding flights and held by police on the basis of reading books on Islam. It noted the European Convention prohibited discrimination in article 14. It highlighted Muslim women in Denmark faced prejudice through employment because of wearing headscarf, noting this was a violation to article 11 of CEDAW. It quoted article 1 of the Declaration on Social Progress and Development on discrimination. It noted prejudice attitudes towards Muslims citizens as common, such as the publication of a controversial cartoon of the prophet Muhammad. It urged Denmark to comply with human rights laws that they were party to and take measures providing their citizens a better understanding of Islam by promoting acceptance of its Muslim citizens and re-establishing tolerance towards them.

160. The European Region of the International Lesbian and Gay Federation commended Denmark for its constructive participation in the UPR process and appreciated the positive steps taken to ensure the full equality of lesbian, gay, bisexual and transgender people and took note of stakeholders' submissions indicating that Denmark required hormonal or

surgical sex reassignment before legal recognition of gender identity was possible. It noted this practice breached the right to privacy and health. It noted that the Human Rights Commissioner of the Council of Europe was of the view that these laws should be abolished and recommended Denmark takes the necessary steps in this regard. It encouraged Denmark to include gender identity explicitly in its anti-discrimination legislation. It strongly urged Denmark to consider applying the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity as a guide to assist in policy development.

161. Save the Children regretted that Denmark did not to accept the recommendations calling for the establishment of an Ombudsman for Children. It called on Denmark to implement the CRC recommendation to conduct an evaluation of the current monitoring system and to apply the findings to establish an independent body with the mandate, competence and authority to monitor the realization of children's rights. It reminded Denmark of the Committee on CRC's deep concerns on the issue of age of criminal responsibility and referred it to General Comment no. 10, concerning the age of criminal responsibility. It urged Denmark to meet rehabilitation and restorative justice objectives in dealing with children in conflict with the law. It noted Recommendation no. 106.119 that called the Government to revise the amendments to the Danish Aliens Act with respect to unaccompanied and separated children seeking asylum. It deeply regretted that Denmark chose not to revise the law and calls to ensure that the best interest of the child was enforced as the guiding principle in the Act in finding a durable solution for separated children or for children in asylum-seeking families. It welcomed Denmark's acceptance that the detention of refugees, migrants and asylum seekers is applied only as a last resort.

162. Amnesty International was disappointed that most accepted recommendations were of very general in nature and that substantive recommendations were rejected. It urged the new Government to keep those recommendations under review. It appreciated the involvement of civil society in the preparation of the national report while key input was absent from the final version of the report and urged the authorities to ensure that future consultations are more substantive. It welcomed Denmark's commitment to observe the principle of non-refoulement and to not resort to diplomatic assurances to circumvent it. It noted in this regard a recent decision by Danish courts regarding the case of the halting of the extradition of a Danish national. It regretted that Denmark rejected recommendations to conduct an evidence-based review of anti-terrorism legislation and noted its serious concerns about unfair procedures for terror-suspects in deportation proceedings and weakened legal safeguards for the protection of privacy. It urged Denmark to bring legislation on rape in line with international law and was disappointed that Denmark rejected the recommendation to create an Ombudsman for children rights.

4. Concluding remarks of the State under review

163. The delegation concluded by expressing their sincere thanks for the comments made during the plenary session, whether from members, observer states or from civil society. The head of delegation made a personal remark with regards to the general elections that had taken place last week. Negotiations were still ongoing for the formation of a new government, but the process could be expected to end in a couple of a days. Whatever the outcome of the negotiations, the head of delegation was sure that he could say also on behalf of a new government that it would take all recommendations seriously, and follow-up to them both according to HRC-procedures, as well as in other relevant fora. Once again the delegation thanked the secretariat and the troika for their support in the process.

Palau

164. The review of Palau was held on 3 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Palau in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/PLW/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/ PLW/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/ PLW/3).

165. At its 18th meeting, on 21 September 2011, the Council considered and adopted the outcome of the review of Palau (see section C below).

166. The outcome of the review of Palau comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/5), the views of Palau concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group *(see also A/HRC/18/5/Add.1)*.

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

167. Mr. Jeffrey Antol, Director, Bureau of Foreign Affairs, Palau, thanked the President of the Council, the many States that participated constructively in the Working Group for Palau's Universal Periodic Review (UPR), the Troika, namely: Ecuador, Republic of Moldova, Senegal, the Secretariat and in particular, Palau's own civil society, for their hard work and many contributions to Palau's review.

168. Palau had found the UPR to be a useful tool in assessing how it could improve in achieving its human rights goals and had found the UPR process to be a uniting agent for government and civil society. The UPR process had allowed Palau to identify human rights priorities and to take the necessary steps to ensuring that fundamental human rights are not only realized but also promoted and protected in the Republic of Palau.

169. Palau referred to the recently concluded 42nd Pacific Island Forum Leaders meeting held in New Zealand, which had welcomed the successful participation of all Forum members in the first round of the Universal Periodic Review (UPR) at the Human Rights Council as a major regional achievement. According to the Forum Leaders, the development of this cooperation and the networks created by this activity represented an important source of human rights expertise for the entire region.

170. The Forum Leaders welcomed the presence of the United Nations Secretary-General, Ban Ki-moon. They expressed deep appreciation for the valuable contribution made by the United Nations to the Pacific region and highlighted the importance of the United Nations' continuing support. In their discussions, Leaders also re-affirmed the shared values and principles of the Pacific Islands Forum and the United Nations, including important commitments to human rights, the rule of law, good governance and democracy.

171. On 20 September 2011, at the margins of the 66th United Nations' General Assembly in New York, Palau's President, His Excellency Johnson Toribiong, signed the remaining core United Nations human rights treaties to which Palau was not a party, namely the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW), Convention on the Rights of Persons with Disabilities (CRPD) and the International Convention for the Protection of All Persons from Enforced Disappearance (CED). This was a monumental accomplishment for Palau as it was a State party only to the Convention on the Rights of the Child.

172. Palau proceeded to acknowledge the assistance of the Pacific Islands Forum Secretariat, Secretariat of the Pacific Community Regional Rights Resource Team and the Office of

the High Commissioner for Human Rights Pacific Regional Office, for their support in the UPR process for Palau.

173. Palau recalled that during the Working Group it had received 106 recommendations and already responded to 64 of them. Further consultation and consideration was required to respond to the other 42 recommendations made. A consultation was held recently with relevant government agencies and civil society to assess the various recommendations.

174. Palau reported back to the Council on its official response to those recommendations. It noted the recommendations made to accede to or ratify human rights treaties in general and specific treaties. Palau was consulting and working towards public awareness about these instruments and determining Palau's capacity and resources to fulfill its obligations under those treaties.

175. On the establishment of a national human rights institution (NHRI), Palau accepted this recommendation. Palau continued to work with the Pacific Islands Forum Secretariat and Asia Pacific Forum through consultations to develop awareness and determine the capacity and resources of Palau to fulfill its obligations under this institution. A consultation on this matter was conducted in August 2011 with the assistance of the Pacific Islands Forum Secretariat, Asia Pacific Forum and the Office of the High Commissioner for Human Rights. The consultation consisted of key government officials particularly members of the National Congress as well as relevant government Ministries and Agencies. The outcome of that consultation would determine the move towards establishing an NHRI.

176. On the status of children born of foreign parents, Palau noted this recommendation. Palau clarified that its legislative body may address this issue. Palau accepted the recommendation on the minimum age of criminal responsibility. Palau took note of the recommendation on the treatment of female prisoners. Palau explained that its prison system had standards protecting women prisoners in line with the Bangkok Rules. The recommendations relating to the sexual exploitation of children and child labour were accepted by Palau, which explained that it would apply its obligations under the CRC. Palau accepted the recommendations to modify or amend its current legislation, on the criminalization of sexual relations of consenting adults of the same sex, in line with international standards. It accepted recommendations on the age of marriage and would take appropriate measures to modify or amend legislation in line with international standards. Lastly, Palau accepted the recommendations relating to refugees and asylum seekers and would take appropriate measures to enact appropriate legislation in line with international standards.

177. Palau looked forward to sharing its progress on the promotion and protection of human rights in four years' time. Palau was fully committed to its human rights obligations and responsibilities and reiterated its appeal to the international community to assist Palau, both technically and financially, in its efforts to carry out its human rights responsibilities in the implementation of human rights treaties, and the Universal Declaration on Human Rights.

2. Views expressed by Member and observer States of the Council on the review outcome

178. Algeria expressed satisfaction with Palau's encouraging human rights record. Algeria acknowledged Palau's challenge to implement all the accepted recommendations. Algeria highly appreciated Palau's decision to sign core human rights instruments during the General Assembly, demonstrating its engagement to implement the recommendations received. Algeria appealed to the international community to provide adequate assistance to Palau to fulfill its human rights obligations. Algeria recommended that Palau further review the possible ratification of the human rights instruments, to which it was not a party, and establish a national human rights institution. As such action would further consolidate the progress made on the promotion and protection of human rights, including food security, Millennium Development Goals, combating human trafficking and discrimination and improving the situation of migrant workers.

179. Morocco noted Palau's exemplary cooperation with the Universal Periodic Review. Morocco welcomed Palau's acceptance of more than 64 recommendations during the Working Group, three of which were made by Morocco. Morocco had invited Palau: to continue consultations for the establishment of a national human rights institution; to continue promoting and protecting vulnerable persons and activities for the elaboration of a national policy for persons with disabilities; and to study the possibility of adopting a law addressing domestic violence and creating structures for sheltering and protecting victims of violence. Morocco congratulated Palau's commitment to achieve the Millennium Development Goals, despite the difficulties faced, notably a lack of human and financial resources. Morocco supported Palau in its efforts to improve its human rights situation.

180. New Zealand was pleased that Palau accepted many recommendations and that it pledged to extend a standing invitation to special procedures mandate holders. It commended Palau for starting work on building awareness of and assessing resources needed to fulfil its obligations under the Convention of the Rights of Persons with Disabilities. Palau was also implementing New Zealand's recommendation to enact laws to protect married women from rape; ensure that women were not discriminated against in family inheritance; and protect women from domestic violence. The provision of facilities for temporary shelter and protection for women who were victims of domestic violence was noted. New Zealand indicated that work was underway to implement its recommendation to improve enforcement of regulations to protect foreign workers and extend coverage of minimum wage requirements to include foreign workers. It also welcomed Palau's commitment and work in progress to establish a national human rights institution.

3. General comments made by other relevant stakeholders

181. Canadian HIV/Aids Legal Network commended Palau's commitment to equality and non-discrimination, particularly its acceptance of the recommendation to decriminalize sexual relations between consenting adults of the same sex and to amend current legislation to bring it into line with international standards. It asked about the timetable proposed for this reform. Canadian HIV/Aids Legal Network welcomed Palau's acceptance of the recommendation to combat discrimination against lesbian, gay, bisexual and transgender people through political, legislative and administrative measures and encouraged Palau to work together with civil society on this matter. It called on Palau to provide sensitivity training to police, judicial and other authorities in order to promote respect for all persons, including on the grounds of sexual orientation and gender identity; and to ensure that lesbian, gay and transgender citizens are treated equally by State authorities. Canadian HIV/Aids Legal Network urged Palau to consider applying the Yogyakarta Principles to assist in policy development.

4. Concluding remarks of the State under review

182. Palau thanked the previous speakers for their interventions, comments and support, which were noted and would be considered. The President of Palau's signing all the remaining core human rights treaties in New York yesterday was viewed as monumental progress for the country. The Human Rights Council and member States were thanked for their support.

Somalia

183. The review of Somalia was held on 3 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Somalia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SOM/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SOM/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SOM/3).

184. At its 20th meeting, on 21 September 2011, the Council considered and adopted the outcome of the review of Somalia (see section C below).

185. The outcome of the review of Somalia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/6), the views of Somalia concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

186. The delegation of Somalia, headed by H. E. Ambassador Yusuf M. I. Bari Bari, stated that the on-going famine, caused by the worst drought in sixty years, was aggravating the already dire situation of the Somali people, especially in the south-central regions of Somalia. Apart from the failure of the rain season, it was important to mention other factors contributing to the famine, including traditional agro-pastoralists abandoning their fields due to the insecurity or being recruited to fight for Al-Shabab, severe deforestation for charcoal production, and harsh living conditions under Al-Shabab. Access to renewable sources of energy, together with a new culture of planting trees and protecting biodiversity, will be critical in addressing this issue. Somalia repeatedly warned the international community about the risk of a potential crisis and humanitarian disaster, but no one paid attention to the information Somalia provided.

187. The prolonged internal armed conflicts of over two decades has weakened Somalia's legal, political and social infrastructure. However, Somalia has recently made important achievements. On 6 September, following consultations with all relevant stakeholders, the Transitional Federal Government (TFG), the regional Administrations of Puntland and Galmudug, and the Ahlu Sunna Wal Jama'a movement adopted a Roadmap for ending the Transition. The Kampala Accord of 9 June 2011 permitted a one-year extension to the transitional federal institutions, and the Roadmap sets out the steps to implement the Accord. The Roadmap contains four priority tasks for ending the transition before 20 August 2012, namely: security; constitution; reconciliation; and good governance. The TFG and other stakeholders also agreed that the Roadmap will be implemented in line with the principles of: Somali ownership; inclusivity and participation; and monitoring and compliance with the benchmarks and timelines in accordance with the Kampala Accord.

188. The Government of Somalia is committed to continuing this pattern of consultation and inclusivity. The second consultative meeting under the Roadmap will take place in Puntland in October, and will focus on the draft constitution. The Government has also invited Al-Shabaab to lay down their arms and join the table for peaceful negotiations and dialogue without preconditions.

189. The Government of Somalia praised the civil society working in Somalia for their valuable contributions. For example, the newly-constituted National Disaster Management Agency is made up entirely of individuals from Somali civil society. The Government of Somalia reiterated its commitment to engaging proactively with civil society and encouraged civil society to continue to work with the Government to support the national agenda for change.

190. Despite all the constraints and challenges, Somalia has engaged pro-actively with the United Nations Human Rights Council for the past three and half years resulting in the adoption of five important resolutions and the outcome of the stand-alone interactive dialogue on technical assistance to Somalia. Another key achievement of Somalia in the year 2011, in terms of its engagements with the international human rights mechanisms, has been the submission and presentation of Somalia's Universal Periodic Review national report in Geneva on 3 May 2011. That was the first time that Somalia has been able to

develop a national report and engage with a human rights mechanism, productively and cooperatively, since 1984.

191. However, the lack of engagement for the past 25 years should not be read as a lack of interest or a lack of respect for human rights. The Somali culture is imbued with humanitarianism and respect for human rights. In times of hostilities, the Biri-Ma-Geydo (Spared from the Spear), i.e. Somalia's own "Geneva Conventions", which existed long before the adoption of The Hague and Geneva Conventions – mitigated and regulated the conduct of clan hostilities and the treatment of immune groups.

192. Somalia is committed to making human rights the foundation of the transition for a new Somalia based on democratic values. Nonetheless, implementation of human rights cannot be achieved by Somalia alone and cooperation and technical assistance to Somalia in the field of human rights is essential to make progress. It is critical that the key tasks in the Roadmap be accomplished on time, with the strong political will in Somalia and the support of the international community.

193. The Government called on states to continue to provide urgent assistance to enable the Government to extend the territory under its control and to deliver services, and prevent warlords from re-emerging to fill the vacuum left by Al-Shabab's withdrawal. Sustained bilateral cooperation and deployment of military engineering corps will be crucial to better deliver the much-needed basic social services, in particular: the drilling of water boreholes; the opening of humanitarian corridors; expanding and maintaining humanitarian spaces; and training and equipping the new Somali civil and environmental protection units, at the national and sub-national level.

194. The Government appealed to friendly countries for support and assistance, at national and sub-national level, to better coordinate the significant bilateral humanitarian aid and assistance currently underway in Somalia. Better coordination of aid efforts will ensure that the assistance reaches the most vulnerable and most in-need throughout Somalia, and will also help to protect humanitarian and aid workers. The recently-agreed Roadmap indeed provides a unique framework and benchmarks for coordinating bilateral cooperation on aid, rehabilitation and development – at national and sub-national level – to assist with Somalia's emergence from transition.

195. The Government of Somalia paid the utmost attention and respect to each and every recommendation, and it was pleased to accept, or accept in-part, all of the 155 recommendations received. In document A/HRC/18/6/Add.1, Somalia had also identified and explained the areas where it urgently requests bilateral assistance and capacity building in order to progress to implement these recommendations.

196. Somalia took its participation in the UPR exercise as an important opportunity to reflect and take stock of its situation of human rights and anticipate the progress that hopefully it will be able to show in four years' time. Both the National Report presented in May and A/HRC/18/6/Add.1 were entirely Somali-developed and owned. The adoption of Somalia's UPR report marked the end of one cycle and the beginning of a new one.

2. Views expressed by Member and observer States of the Council on the review outcome

197. Algeria commended Somalia for having accepted all the recommendations it had received. In consultation with Somalia, the international community should try to find lasting solutions to the humanitarian crisis. The limited assistance to combat famine would not be sufficient unless donors help the country to increase its institutional capacity to managing crisis.

198. Cuba referred to a number of challenges that Somalia faced, including the internal conflict, the lack of food and recent droughts, the lack of adequate health infrastructures etc. It noted that all those problems would have a negative impact in the implementation of the recommendations put forward during the universal periodic review. Therefore,

international cooperation is necessary to help Somalia to address challenges and to meet Somalia's call for international assistance.

199. The United States of America welcomed Somalia's acceptance of all recommendations made and urged the delegation to provide additional information relating to recommendations partially accepted. Long-term peace and stability in Somalia laid in the establishment of effective governance based on a process of inclusive political dialogue and reconciliation. USA welcomed recommendations on violations of human rights in the conduct of war and TFG's commitments to them. It also underlined recommendations focused on the use of children in armed conflicts and looked forward to receiving any update that Somalia could provide during the second cycle.

200. Saudi Arabia commended Somalia for its commitment to protect and promote human rights, which was demonstrated by, inter alia, the cooperation of Somalia with all human rights mechanisms. It noted that despite the existing challenges, Somalia put efforts to guarantee fundamental rights, including the right to food. Saudi Arabia appreciated the positive cooperation of Somalia with international and regional institutions to address the crisis of the past few months.

201. Mauritania commended Somalia for the way it prepared for its UPR, particularly since the country was going through extremely difficult circumstances. It called on international organizations to urgently intervene and assist millions of children, women and elderly people who are daily threatened with death, and forced to leave the country because of the economic and social situation.

202. Qatar commended Somalia for its efforts to strengthen the human rights protection by, inter alia, cooperating with the UN human rights mechanisms. It highlighted the need for the international community to grant technical and financial assistance to Somalia to address the serious crisis the country is facing and strengthen its capacity to implement the recommendations put forward during the working group. Qatar also called on all parties in Somalia to take the responsibility to end the conflict and ensure peace and security.

203. Morocco stated that Somalia needs assistance and aid in order to reconstruct the country and its institutions, and complete the process of reconciliation, stability and peace. Morocco appealed to countries, international organizations and the private sector to help the Somali people to protect its right to life which is the basis of all other rights.

204. Bahrain commended Somalia for its efforts made in a number of areas, including the access to health, education and water. While noting changes in the situation in the country, Bahrain stated that many challenges still remained and that constructive dialogue among all parties was necessary to address those challenges. It called on the Government to respect its commitments under the international human rights and humanitarian law. Bahrain also urged the civil society organisations to make serious efforts in cooperation with the Government to help those in need.

205. Israel appreciated the submission of the national report to the 11th session of the UPR, especially in light of the difficulties and challenges Somalia is facing. The OHCHR should ensure all efforts were undertaken to provide assistance to Somalia. In this regard, Israel looked forward to the OHCHR High Level technical mission. Israel reiterated its willingness to assist in efforts to restore peace and prosperity in Somalia and urged the members of the international community to provide support to the TFG in the areas of technical assistance and capacity building.

206. The United Arab Emirates noted the political will and determination demonstrated by the Government to strengthen human rights protection. It also appreciated the efforts of the Government to involve the civil society in the implementation of the recommendations. The United Arab Emirates highlighted the necessity to provide assistance to Somalia to address its challenges, and implement its human rights obligations and fulfil the Millennium Development Goals.

207. Italy stated it was heartened by the fact that Somalia had accepted, fully or partially, all the 155 recommendations received. This acceptance conveyed a strong political signal about the resolve of the Somali authorities to uphold the cause of human rights. Italy encouraged the TFG to continue along this path. It remained actively involved in international efforts aimed at achieving reconciliation and stabilization in Somalia as well as social and economic development of its people.

3. General comments made by other relevant stakeholders

208. The Rencontre Africaine pour la Défense des Droits de l'Homme (RADDHO) underlined that Somalia found itself in a terrible situation facing several huge challenges. RADDHO suggested that very urgent humanitarian assistance be provided to those people affected by the conflict and the holding of an international conference for the reconstruction of Somalia. It finally declared that AMISON should have more means.

209. The Cairo Institute for Human Rights Studies welcomed the acceptance by Somalia of the recommendations regarding the establishment of a mechanism to investigate war crimes and crimes against humanity and called on the authorities to ensure that those responsible for atrocities were brought to justice in fair trials. It also urged Somali authorities to carry out effective and impartial investigations into killings of and attacks against journalists and civil society actors in the areas under their control, as well as to ensure that human rights defenders and journalists carry out their activities freely.

210. Human Rights Watch (HRW) stated that it continued to document cases of children associated with the TFG armed forces and TFG-aligned militias and urged the TFG to urgently establish effective and systematic age vetting procedures, and develop with the assistance of the United Nations a concrete plan to eradicate the use of child soldiers. The request made by the TFG seeking the assistance of the OHCHR and concerned countries to improve accountability mechanisms should promptly be acted upon. HRW called on the TFG to impose a moratorium on death penalty immediately.

211. Amnesty International, while welcoming the acceptance by Somalia of the recommendations to guarantee freedom of expression, referred to two cases of killings of and attacks against journalists. It stated that despite the expressed commitment to establish a moratorium on the use of death penalty, two individuals had been executed and seventeen were sentenced to death by the military court.

212. International Educational Development stated that the Somali Government should be honoured for its commitment to promote and protect human rights in Somalia even in the midst of war. Because Somalia was at a breaking point, the international community should act outside its purview. It is difficult then for Somalia to apply UPR recommendations, and the first responsibility of the international community was to provide immediate and adequate humanitarian aid and to undertake all possible measures to deliver it to those in need.

4. Concluding remarks of the State under review

213. In response to the intervention of some stakeholders, the delegation of Somalia stated that the Government was in the process of ratifying the Convention on the Rights of the Child, which was signed in 2002, and its Protocol on the involvement of Children in Armed Conflict.

Seychelles

214. The review of Seychelles was held on 4 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Seychelles in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SYC/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SYC/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SYC/3).

215. At its 20th meeting, on 21 September 2011, the Council considered and adopted the outcome of the review of Seychelles (see section C below).

216. The outcome of the review of Seychelles comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/7), the views of Seychelles concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

217. Seychelles indicated that, reflecting on the way ahead of the nation, President James Michel stated, *"Our destination is clear; we should work harder, we should be more productive in order to live a happier life in the beautiful little country that it is ours. A reinvigorated economy will bring more benefits and opportunities to our young people so that they can go further."* He then added, "*Measures and strategies divorced from the human element have no real sense."*

218. In Seychelles, the concept of a great nation was not defined by its budget surplus or bank reserves, but by the happiness index of each one of its citizens, which is called "people-centred development." It meant a development that took into consideration the individuals that made up the workforce and that also took special care of other people.

219. Concomitant with the development in tourism, fisheries, financial services and others, Seychelles, since the beginning and without failure, provided the required elements for the development of the most valuable resource a country could have: the human resource.

220. Seychelles stated that its legislative framework encompassed the necessary mechanisms to secure economic growth and the implementation of social programs while the fundamental rights and freedoms of the people were safeguarded.

221. In this endeavour, Seychelles welcomed the assistance of numerous partners, from friend States to regional and international organizations such as the African Commission on Human and Peoples' Rights and the European Union. Seychelles conveyed its special gratitude to the Human Rights Council for being one of these partners. The Human Rights Council provided guidance throughout the whole procedure of the Universal Periodic Review and even assisted with funds for the participation of its delegates in the sessions.

222. The delegation stated that Seychelles accepted the recommendations on ratification or accession to international human rights treaties. In general, the Government found no impediments to accede to or ratify these international instruments, however, noted that it would maintain its policy, which entailed that treaties would be submitted for approval in accordance with the "Seychelles Procedure for Execution of Treaties", whereby, by implementing the appropriate provision of the Constitution, all relevant ministries, departments and national stakeholders would be consulted, the concerned treaty would be submitted to the scrutiny of the executive and the legislative, and the recommendations for approval would be based on national socio-economic conditions, plans, priorities, etc.

223. Seychelles accepted recommendations in relation to the national human rights institution. The delegation indicated that its National Human Rights Commission already abide by some of the Paris Principles, which are contained in Resolution 48/134 of 20 December 1993 of the United Nations General Assembly. A change on the scope of its functions, powers and membership would require an amendment to the "Protection of the Human Rights Act, 2009". It might also entail other administrative measures such as budget allocation, or its increase. The Government would review the proposal in due time.

224. Seychelles accepted the recommendations in relation to the elections. More specific comments on them would be published in the statement which will be posted on the Extranet of the Human Rights Council. As to the recommendation for the National Human Rights Commission to monitor the elections, the delegation stated that they could be invited to do so.

225. Seychelles also accepted the recommendations on media.

226. The delegation stated that the recommendations concerning reporting commitments under international human rights treaties were accepted. Further steps to ameliorate the

implementation of the strategy to address the preparation and submission of outstanding reports to Treaty Monitoring Bodies were being taken by the Government and works in the preparation of some outstanding reports had been initiated. Work had already started for the preparation of the national reports under the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

227. Seychelles accepted the recommendation which would allow Special Rapporteurs to visit Seychelles to monitor and report on human rights issues in the country. The standing invitation to the United Nations Special Procedures would be extended.

228. The recommendations on gender were accepted, and there would be further clarifications in the more comprehensive statement which would be posted on the Extranet of the Human Rights Council.

229. The recommendations on domestic violence and protection of women and children were also accepted. Statutory laws against domestic violence and for the protection of women and children were already in place. Also in place were the mechanisms for review of these laws so as to make them more adapted to the needs of protecting women and children. Moreover, the Government approved the recommendation of the Department of Social Affairs to give full and due support and commitment to ensure the realization of the National Gender-Based Violence Strategy and of the funded plan of action that was especially linked to training of stakeholders, such as judiciary and the police, and to responding to the holistic needs of victims and perpetrators, etc.

230. The delegation stated that it would not accept the recommendations concerning the age of criminal responsibility, however, indicated that it was open to review them again in the future. The delegation added that Section 15 of the Penal Code expressly provided that a person below the age of seven was not criminally liable, while those in between the age of seven and twelve would be liable if they knew that they should not do the acts giving rise to the offences. The delegation also stated that this principle of limited liability depending on one's mental capacity is universal, and at the same time, there is no universally accepted age of criminal responsibility. Seychelles considered that the relevant provisions in the Penal Code should remain as they were. Therefore, for the time being, Seychelles would not raise the minimum age of criminal responsibility.

231. Seychelles accepted the recommendations on youth. The standards set out in the Convention on the Rights of the Child referred to the "United Nations Standard Minimum Rules for the Administration of Juvenile Justice" ("The Beijing Rules") approved on 29 November 1985. The Government of Seychelles recommended, as an immediate measure, that there be dissemination of these rules, in particular to the institutions and agencies directly involved in juvenile justice. In due time, the content of the *"United Nations Standard Minimum Rules for the Administration of Juvenile Justice"* would be separately submitted to the Executive so as to obtain their formal approval and guarantee their introduction and implementation.

232. The recommendations on the judiciary were accepted. Further comments would be available in the more comprehensive statement which would be posted on the Extranet of the Human Rights Council.

233. The recommendations in relation to sexual orientation were accepted. The delegation stated that the Constitution of Seychelles made provision for all persons to be free from discrimination on all grounds. Article 27 of the Constitution stated that "Every person has a right to equal protection of the law including the enjoyment of the rights and freedoms set out in this Charter without discrimination on any ground except as is necessary in a democratic society." The one provision in the Penal Code for "sodomy" did not directly discriminate homosexuals as it was intended for penalizing the offence of sodomy as such. This provision had never been applied to anyone. Seychelles stated that its Government would decide as to when and to what extent the legislation could be amended to better guarantee the Constitutional precept that lesbian, gay, bisexual and transsexual persons were not to be discriminated in Seychelles.

234. Seychelles accepted the recommendations on health. Additional explanations would be found in the more comprehensive statement which would be posted on the Extranet of the Human Rights Council.

235. The recommendations on water were accepted. Provisional statistics from the 2010 Census indicated that most households received treated water from the Public Utilities Company's mains supply. However, during periods of prolonged low rainfall, the Company

implemented its emergency plans, which entailed restrictions at different intervals and areas to ensure a reasonable stock of water. The Company was also expected to set up seven desalination plants which would increase the capacity supply to 17 million litres of water per day. One was already being connected, which would yield one million litres of water and the rest were expected to be connected and be ready to produce water within the next two months. Parallel to this, the Company was also implementing its Drought Action Plan which was aimed at completing projects which would maximise the use of the country's water resources.

236. On other various miscellaneous recommendations, the delegation indicated the positions of Seychelles:

237. Seychelles accepted the recommendations to implement the recommendations of the 2008 Constitutional Review.

238. Seychelles also accepted to bring, in the context of the Constitutional Review, the Public Order Act governing public assemblies in line with the principles of the Constitution.

239. Seychelles accepted the recommendation to continue the adoption and implementation of public policies aimed at protecting the persons with disabilities and ensure their equal access to dignified housing, employment and health.

240. Seychelles accepted the recommendation to consider the possibilities of adopting non-custodial sentences where feasible as well as measures to reintegrate the prison population into society. Works to reintegrate offenders into society were undertaken by specialized staff at the prison. Also, the Rehabilitation of Offenders Act of 1996 afforded an offender the opportunity to start afresh after a period of abstention from crime as it prohibited the unauthorised disclosure of the convictions in respect of these offences.

241. Seychelles did not accept the recommendation to put in place an independent Police Complaints Commission. The Government was of the view that, presently, there was no necessity to establish a dedicated Police Complaints Commission, as complains against the Police were largely on the grounds of poor service delivery, rather than abuse of powers by the Police.

242. Seychelles accepted the recommendation to put in place appropriate mechanisms to ensure that individuals and members of the political opposition would be able to take part freely in public rallies and peaceful demonstrations, and to express their views without fear of reprisals, including via all forms of media.

243. Seychelles accepted the recommendation to consider devising and implementing a national strategy for Human Rights Education which would cover both the formal educational sector and a wider public for enhancing human rights awareness.

244. Seychelles accepted the recommendation to request necessary technical assistance and cooperation for implementation of the recommendations accepted in the Universal Periodic Review.

245. Seychelles' first Universal Periodic had been a very fruitful and enriching experience from various aspects, including the wide national consultation undertaken during the preparation of the National Report and the detailed scrutiny of the National Report made by the participants in the Working Group, which submitted 77 recommendations. These recommendations, together with an Information Note providing the steps in the process, were presented to the Cabinet of Ministers, including the Vice-President and the President of Seychelles. The delegation indicated that Seychelles had made full use of this important process and learned more about good practices in the implementation and enforcement of human rights.

246. The objective of increasing human rights' awareness at all levels had been achieved and the Government had been once more convinced of the need to keep in place the mechanisms that would allow continuity in human rights dissemination. Neither the adoption of the outcome of the Seychelles in the Council plenary nor the publication of the report on Seychelles' Universal Periodic Review would be the end of the process. Seychelles would be attentive to the views and recommendations of its national and international partners.

247. The delegation thanked the Human Rights Council, the representatives of the participating member states, observer states and the United Nations Agencies for accompanying Seychelles in the construction of the small great nation that it was. Seychelles looked forward to working together in order to make its second Universal Periodic Review another rewarding and fruitful experience.

2. Views expressed by Member and observer States of the Council on the review outcome

248. Algeria took note of the responses provided by Seychelles to the recommendations which it had received during the UPR Working Group, including to the three recommendations made by Algeria in relation to the accreditation and strengthening of the national human rights institution, the submission of reports to the treaty bodies, and the strengthening of efforts to fight social ills such as the consumption of drugs. Algeria reiterated its satisfaction with the progress accomplished in the realization of the Millennium Development Goals, which had a positive effect on the enjoyment of human rights. This was of particular importance for an island developing nation, also in light of its vulnerability to climate change. Algeria further expressed its solidarity with Seychelles in its fight against piracy.

249. Cuba noted that Seychelles was a small country that had suffered from colonialism and had been faced with a number of limitations and challenges, including those in connection with globalisation, climate change and piracy. Nevertheless, by pursuing a development approach focused on the human being, it had made considerable progress in the area of human rights. For example, Seychelles had achieved most of the Millennium Development Goals and reached a 100 per cent enrolment rate in primary education, as well as very high rates of literacy and immunization of children. Its social indicators were among the highest in the region. Cuba noted that it had made a modest contribution to these efforts through long-standing cooperation, and it encouraged the Seychelles to further pursue its socio-economic development plans.

250. Morocco indicated that the realization of the Millennium Development Goals and the level of human development in Seychelles should encourage the specialized international institutions to provide Seychelles with technical assistance that it deemed necessary to accompany its national efforts in meeting the challenges leading to the vulnerability of its economy. International cooperation was particularly desirable in the fight against piracy and with regard to the scourges of climate change, both of which had a negative impact on human rights. Morocco highlighted certain initiatives such as the creation of the Media Commission, the Strategic Plan of the Judiciary, and the Code of Judicial Conduct. Morocco welcomed the fact that Seychelles had accepted a large number of recommendations, including those made by Morocco with respect to gender mainstreaming in public policies, reintegration of prison population in the society, and the right of universal access to drinking water and sanitation.

3. General comments made by other relevant stakeholders

251. Rencontre Africaine pour la defense des droits de l'homme (RADDHO) noted with satisfaction the progress made by Seychelles towards achieving the Millennium Development Goals. RADDHO also welcomed the creation of the Gender Secretariat and the National Commission for Child Protection. RADDHO observed, however, that rape and domestic violence remained important problems and that the number of persons affected by HIV/AIDS was on the rise. Improvements could still be made with regard to freedom of expression in the media so as to leave space for diverging views. External factors such as climate change and acts of piracy had a negative impact on the enjoyment of human rights. Noting that the economy was to a large extent dependent on fisheries and tourism, RADDHO invited the international community to provide constructive assistance to mitigate the consequences of climate change. Finally, it welcomed advances made in health care and the reduction of child and maternal mortality as well as the high level of other social indicators.

252. Canadian HIV/Aids Legal Network welcomed the confirmation provided by Seychelles that article 27 of the Constitution prohibits discrimination on any grounds, including sexual orientation. It remained concerned, however, by the fact that Section 151 of the Criminal Code penalises sexual activity between consenting adults. It reiterated its recommendation that the relevant provision be repealed in order to bring current legislation in line with international standards and asked Seychelles to indicate a timeframe for this action. The Network welcomed the provision of the Employment Act

which protects individuals from discrimination based on sexual orientation and enquired what others steps were being taken or planned to advance non-discrimination on the grounds of sexual orientation and gender identity. Finally, it encouraged Seychelles to consider adopting the Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender identity.

4. Concluding remarks of the State under review

253. Answering the questions from the Canadian HIV/AIDS Legal Network, the delegation indicated that Section 151 of the Criminal Code could be repealed within a short period of time. Seychelles was aware that this provision was obsolete.

254. Concerning the other question on the steps being taken or planned in order to advance non-discrimination on the grounds of both sexual orientation and gender identify, the delegation stated that, the first step could be to repeal the referred Section in the Penal Code. Then, the Government's position on LGBT (lesbian, gay, bisexual and transgender) people could be disseminated.

255. The fact that the outcome of the Universal Periodic Review, including the recommendations from other States and the positions of the government, would be published in a report would be a very important step for the disseminating efforts Seychelles could undertake in order to ensure that there would be better guarantees that these people would not be discriminated.

Solomon Islands

256. The review of Solomon Islands was held on 4 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Solomon Islands in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SLB/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SLB/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SLB/3 and A/HRC/WG.6/11/SLB/3/Corr.1).

257. At its 20th meeting, on 21 September 2011, the Council considered and adopted the outcome of the review of Solomon Islands (see section C below).

258. The outcome of the review of Solomon Islands comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/8), the views of Solomon Islands concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

259. The Minister of Foreign Affairs and External Trade of Solomon Islands, Hon. Peter Shanel Agovaka, acknowledged the contribution of all stakeholders to the review, including Pacific regional agencies such as the Pacific Regional Rights Resource Team of the Secretariat of the Pacific Community and the Pacific Islands Forum Secretariat.

260. The delegation recalled that it needed time to consult with relevant stakeholders, both from within and outside of government, on some recommendations. It further stated that a consultation did take place with relevant government agencies and civil society to assess these recommendations, the results of which were to be presented to the Council.

261. Solomon Islands received, in total, 115 recommendations. 57 were accepted, 49 of which were considered to be already implemented or in the process of implementation. The Government's position on 58 recommendations was postponed.

262. Regarding deferred recommendations that enjoyed the support of the Solomon Islands, the delegation stated that the Government was deeply committed to international human rights standards and principles set out in UN Conventions and Treaties. Therefore, recommendations 81.1 – 81.17, related to ratification or accession of international treaties and conventions, enjoyed the support of the Government.

263. The delegation recognized that for international human rights standards and principles to become a reality for Solomon Islands, it was necessary to incorporate them into domestic laws. It also recognized that the process of treaty reporting provided further guidelines for the implementation of human rights. Solomon Islands supported Recommendations 81.18, 81.33-81.35 and 81.38 on reporting to Conventions and Treaties, and the implementation of human rights.

264. The Solomon Islands' Law Reform Commission had terms of references to review the Penal Code and the Criminal Procedure Code which would address many of the recommendations on areas of violence against women, sexual offences and sexual violence, rape, corporal punishment and criminal responsibility. The Commission also had a reference to review the Islander's Marriage Act. As such Solomon Islands was already progressing towards strengthening its legal framework to promote and protect the rights of women and advance gender equality. Thus, it supported recommendations to promote and protect the rights of women (recommendations 81.19, 81.23-81.29, 81.47 and 81.52).

265. The Solomon Islands had ratified the Convention on the Rights of the Child, and had, with the support of civil society and international organizations, progressed to consider means by which the standards and principles in the Convention could be implemented. Therefore it supported recommendations 81.39 – 81.41, 81.45, 81.48 and 81.56-81.58.

266. The Solomon Islands recognized the rights of persons with disabilities. However, the Government was conscious of resource constraints that could cause difficulties in implementing certain economic, social and cultural rights. It would, however, seriously consider the recommendations to promote and protect the rights of persons with disabilities (recommendations 81.30-81.32).

267. As an island state that had experienced some of the negative effects of climate change, the Solomon Islands supported recommendations 81.34 and 81.36 which called for measures to respond to climate change.

268. The Government committed to further facilitate the peace process set out in recommendations 81.42 and 81.43; as well as supported recommendations to consider the promotion and protection of civil, political, economic, social and cultural rights (recommendations 81.20, 81.22 and 81.37, 81.53-81.55) and recommendations on legislative and judicial reform (recommendations 81.44 and 81.46).

269. Concerning recommendations that were only partially accepted, the delegation stated that Solomon Islands could not fully accept at this time recommendation 81.21 that called for change the property and inheritance legal frameworks. The Government would consider amending the legal framework in regards to custody of children, but it was not yet ready to change the property and inheritance laws. Most of the perceived inconsistencies with internationally accepted standards of property ownership and inheritance were due largely to long defined customary laws, which viewed land ownership and inheritance very differently. To seek to change or amend the constitution to do away with such customary practices would require thorough nationwide consultation.

270. On recommendations that were not supported, the delegation said that, while the Government acknowledged and recognized international human rights standards, it would be too early, within the context of the Solomon Islands, to discuss decriminalizing sexual

relations between consenting adults of the same sex. Such an issue would require thorough national consultations to address Christian doctrines and cultural perspectives on the issue. Consequently it was not possible to support recommendations 41.49-81.51 on sexual relations between consenting adults of the same sex.

271. In closing, the delegation recognized that the UPR consultation had given a unique opportunity to enhance and promote active dialogue between government and civil society. It valued the views from civil society groups and wished to acknowledge their invaluable input. The Government would continue to work hard to enhance this relationship. The UPR represented an important source of human rights expertise for the entire region; this was considered one of the big plus of the UPR process.

272. The Foreign Minister also reported that at the regional level there was already strong support towards the UPR which would help in the implementation of the various recommendations. The recent Forum Leaders' summit in Auckland recognized the UPR mechanism and supported governments in this initiative, acknowledging the wide partnerships formed in the process.

273. Furthermore, Pacific Leaders had put in the forefront the issue of Sexual and Gender Based Violence with the recent establishment of a Forum Reference Group to Address Sexual and Gender Based Violence (SGBV) based on a 2009 commitment to eradicate SGBV and ensure all individuals have equal protection under the law and equal access to justice.

274. At the national level the Solomon Islands had already begun discussions with regional agencies to look at carrying out a scoping study on the establishment of a Human Rights Institution, a first step to the eventual establishment of such an important institution.

2. Views expressed by Member and observer States of the Council on the review outcome

275. Algeria noted that, during the interactive dialogue in the Working Group, the Solomon Islands had received 115 recommendations, eight of which had been immediately accepted and 49 of which were considered as implemented or the in process of implementation. During the dialogue, Algeria had expressed its satisfaction for the country's efforts in the fields of health and education and for its role in promoting regional human rights initiatives. Algeria noted that it had made a recommendation in favour of intensifying efforts to ensure economic social and cultural rights. It thanked the delegation for providing a response to the remaining 58 recommendations and noted that, as a small island developing State, the country is facing challenges in the context of climate change and the world economic crisis. Algeria reiterated its call to the International community to support the country in the implementation of accepted recommendations.

276. Cuba noted that during the review at the Working Group the enormous challenges faced by the population of the Solomon Islands because of the global economic crisis and serious environmental problems and the unjust economic order, had been highlighted. Cuba indicated that the Government has made great efforts to minimize the negative impact of such circumstances and dedicated resources to developing human capital, placing an emphasis on basic education. Additionally, it has invested in the improvement of services to the population including in the area of assistance and through the provision of free medical services. Cuba noted that there is a Cuban medical brigade supporting such efforts in the country and that students from the Solomon Islands had gone to Cuba to support these aims. Cuba congratulated the Solomon Islands for accepting many of the recommendations made during the Working Group, including those it had formulated.

277. Morocco congratulated the Solomon Islands for its cooperation with the UPR and observed that, during the review, it had taken positive note of progress made in the area of human rights and measures taken in the area of constitutional reform, the independence of the judiciary and reinforcing the role of civil society. It stated that by accepting 11 of the 115 recommendations received the Government re-affirmed its commitment to human rights. Morocco indicated that it was aware of the difficulties that the country might face

in the implementation of recommendations, in particular because of high unemployment, poverty and climate change in the region. Morocco considered that that the effective realisation of the objectives of the UPR could be ensured with the provision of technical and/or financial assistance for developing countries, as determined by Human Rights Council Resolution 5/1.

278. New Zealand warmly welcomed the Solomon Islands to the adoption of the UPR. It noted that it had made a recommendation that the country adopt specific legislation to address violence against women and children. It indicated that New Zealand was encouraged by the Government's commitment to put in place legal mechanisms to protect women and welcomed progress in proposing legislation to address trafficking, domestic violence and child abuse. It also welcomed steps toward increasing women's participation in Parliament. New Zealand added that the country's willingness to consider the establishment of a national human rights mechanism is a positive step. New Zealand continued to encourage the Solomon Islands to become party to the Convention Against Torture. It recognized that burden that can exist for small states not resident in Geneva and commended the Solomon Island for their positive participation in the process.

3. General comments made by other relevant stakeholders

279. Save the Children welcomed the Government's commitment to realising the rights of the child. It called on the Solomon Islands to prioritize commitments of resources with clear responsibilities and deadlines and appropriate budget allocations for 2012. Additionally, it called on the Government to ratify the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and to enact legislation to protect boys and girls from all forms of sexual exploitation and abuse and to protect children from violence in the home. It expressed disappointment at the Government's apparent unwillingness to consider the human rights of same-sex attracted people and stated that it is important to challenge stigmatisation and discrimination. It urged the Government to consider the decriminalisation of sexual acts between consenting adults.

280. Canadian HIV/AIDS Legal Network expressed its disappointment that the Solomon Islands was not ready to accept recommendations to repeal provisions that criminalize sexual activity between consenting adults of the same sex. It noted that the Human Rights Committee has confirmed that laws criminalizing same-sex activity violate the rights to privacy and to equality before the law without discrimination and inhibit measures to address HIV/AIDS, a position also confirmed by UNAIDS. Canadian HIV/AIDS Legal Network took note that the recommendation by Norway to repeal laws that criminalize sexual relations between consenting adults in accordance with international law had been accepted. It asked how the acceptance of this recommendation was reconciled with the rejection of other similarly worded recommendations. Additionally, noting that the delegation had indicated that reform in this area would require national consultations, it asked the delegation to outline its plan for such consultations.

281. Marist International Solidarity and Franciscans International were encouraged by the Government's open invitation to all mandate holders, as well as its commitment to implement accepted recommendations. They urged the Government to continue on the path to provide free and compulsory Primary and Junior Secondary education and to make this a priority in its National Planning. They also called on the Government to ensure that corporal punishment in schools and in the home is prohibited and punished. It was noted that many teachers are currently under-qualified and that many schools lack basic resources and the Government was urged to address these deficiencies. The Government was also encouraged to include Human Rights education in the school curriculum.

282. Amnesty International welcomed the focus in the review on violence against women and called on the Government to implement fully its Gender Equality and Women's Development Policy, and the National Policy on Eliminating Violence Against Women. Amnesty International expressed concern at reports that the police may be reluctant to intervene in cases of domestic violence and that some lawyers have refused to represent victims unless they had visible injuries. Reference was made to the dire situation in

informal settlements in Honiara, where few sources of clean water exist nearby and women and girls must walk long distances to collect water. The Government was urged to promptly implement the recommendation it had accepted regarding this issue. It was also noted that women and girls in the settlements risk physical and sexual violence when collecting water, bathing or using toilets at night.

4. Concluding remarks of the State under review

283. The delegation was grateful for all statements and either reiterated or elaborated the position of the Solomon Islands on the issues raised.

Latvia

284. The review of Latvia was held on 5 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Latvia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/LVA/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/LVA/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/LVA /3).

285. At its 21st meeting, on 22 September 2011, the Council considered and adopted the outcome of the review of Latvia (see section C below).

286. The outcome of the review of Latvia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/9), the views of Latvia concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/18/9/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

287. The Delegation of Latvia stated that the UPR had been an excellent occasion for the country to review its human rights record through an open and frank dialogue. The preparation process was done with relevant Government institutions and the Ombudsman's Office and with the participation of non-governmental organizations.

288. Latvia received 122 recommendations, of which 71 enjoyed its immediate support, 7 were rejected and 44 were left for further examination. Many of those recommendations that Latvia accepted have already been implemented or are in the process of implementation. While other countries welcomed several steps taken by Latvia to further the promotion and protection of human rights, Latvia appreciated that the peer review indicated areas, where improvement needs to take place.

289. The views on outstanding recommendations as well as the explanation of position on already rejected recommendations can be found in the addendum to the Working Group Report. Latvia is a committed member of the international community and has become a party to the core human rights instruments. Latvia wished to inform that the possibility of ratifying of the Optional Protocols to the International Covenant on Economic, Social and Cultural Rights; to the Convention on the Elimination of all Forms of Discrimination Against Women; to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and; the International Convention for the Protection of All Persons from Enforced Disappearance, will be considered gradually in due course.

290. With regard to the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Latvia referred to its domestic legislation, which is based on adherence and implementation of the requirements

of universal human rights instruments as well as respective European Union regulations. Therefore, in the foreseeable future Latvia does not intend to sign and ratify this Convention.

291. Latvia accepted the recommendation towards the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, in order to abolish the death penalty in times of war. To this effect, last July, the Government approved a legislative package on the accession to the Protocol No. 13 to the European Convention on Human Rights and Fundamental Freedoms concerning the abolition of the death penalty in all circumstances. Following the adoption of the whole package of draft laws by the Parliament and their entry into force, Latvia will assess the possibility of ratifying the Second Optional Protocol to the ICCPR in due course.

292. Latvia mentioned that numerous questions had been raised by delegations regarding the Ombudsman's Office and several recommendations were made in this regard. Latvia did not envisage enlarging the mandate of the Ombudsman as the established mandate is very broad and fully complies with the Paris Principles. While describing the mandate of this institution, Latvia stated that the Ombudsman's Strategy for 2011-2013 sets amongst the institution's priorities launching the procedure for its accreditation to the international coordination body of national human rights institutions.

293. Latvia stated that it will continue measures aimed at eliminiatimg discrimination, including discrimination against vulnerable groups. The Constitution guarantees that human rights shall be implemented without discrimination of any kind and that all human beings in Latvia are equal before the law and the courts. The prohibition of discrimination and differential treatment has also been included in sectoral laws. National legislation provides for administrative and criminal responsibility for violation of the non-discrimination principle. Latvia will continue efforts to protect the rights of women, children and those of persons with disabilities. Latvia recognized, however, that further action is still needed to achieve de facto equality. Latvia cannot agree with the recommendation to adopt a comprehensive gender equality law, since the anti-discriminatory provisions are incorporated into sectoral laws as an integral part of the overall legislative framework, a situation, which is ensuring expected results.

294. Latvian anti-discrimination norms apply also to eliminate discrimination on the basis of sexual orientation and gender identity. Domestic laws guarantee freedom of expression and peaceful assembly to everyone without discrimination, and no violence has been reported against LGBT persons as such.

295. Regarding the recommendations to amend the Criminal Law concerning hate crime, Latvia believed that the Criminal Law and other laws provide for adequate regulation. They criminalise actions of intentionally inciting national, ethnic or racial hatred or disharmony and the Criminal Law also defines racist motive as an aggravating circumstance. Moreover, racial discrimination is also effectively prohibited in other laws and the victims of such crimes are provided with accessible and effective mechanisms for protecting their rights. In recent years, Latvia has succeeded in cutting back on the number of instances of national, ethnic and racial hatred.

296. Latvia could not provide a definitive answer to the recommendations to sanction under the Criminal Law homophobic and transphobic crime or hate speech against LGBT persons. Currently no amendments to legislation have been planned and discussions on this issue have not yet taken place. However, the law enforcement agencies, within their mandate, will continue efforts in combating discrimination.

297. Latvia stated that a number of international organizations have recognized the important progress Latvia has achieved in the area of society integration. Latvia guarantees cultural autonomy for all its national minorities and provides significant support for strengthening their identities. State financed education is available in eight national minority languages. Thorough efforts are being undertaken to prepare the new National Identity and Society Integration Policy Guidelines by involving diverse stakeholders.

298. The State Language Law provides the integration of national minorities into Latvian society, securing their rights to use their native or any other languages while preserving, protecting and developing Latvian language. Latvia has always aimed to keep this balance. According to the Constitution, the Latvian language is the only official language whose use is defined in the Official Language Law. At the same time, the Latvian legislation provides for exceptions when information should be provided to a person in a language other than the official language.

299. Regarding the recommendations on granting certain rights to non-citizens, Latvia emphasised that non-citizens are granted economic, social and cultural rights, as well as a number of political. Latvia's position remains unchanged as to granting non-citizens the right to participate in municipal elections; the right to vote is seen as an inalienable attribute of citizenship. This position complies with international law and the existing state practice. At the same time, non-citizens are ensured practical and effective access to the naturalisation process, which so far has been used by more than 140,000 non-citizens. Latvia accentuated that non-citizen's status is a temporary status and thus obtaining citizenship is the most effective way of expanding the scope of an individual's rights.

300. With regard to the recommendations aimed at granting automatic citizenship to Latvia's non-citizen children, there had been positive developments since May. The Government Regulations on facilitation of registration of non-citizen children as citizens of Latvia at the time of registration of their birth had been approved on 5 July 2011.

301. The Latvian Government has made significant efforts in facilitating the naturalisation process by assessing on a regular basis the motivation of remaining non-citizens. Further measures will be undertaken for the facilitation and optimization of the naturalization process, as well as for society integration.

302. Latvia is strongly committed to prevent and to combat human trafficking, including its various new forms, such as marriage of convenience. Latvia has accepted all recommendations on this subject and intends continuing active efforts in this field. Effective work of law-enforcement institutions and legislative regulation has already led to a decrease in the number of cases of human trafficking during the past few years.

303. Regarding the recommendations on living conditions in places of detention and prisons, Latvia has already made substantial efforts in order to improve these conditions to comply with international standards and will continue in this way. Over the past few years increased attention has been paid to planning the policy of execution of sentences, as well as to the implementation of the policy of resocialization of inmates. Training for the prison staff is also provided.

304. Latvia also emphasized the importance of increasing the population's knowledge on their rights. Therefore general information on human rights, anti-discrimination and tolerance related issues has already been included in the school curricula for several years. Awareness-raising campaigns on specific human rights or discrimination issues are being carried out in co-operation with the State institutions, Ombudsman, NGOs and mass media. Latvia noted that the role of NGOs in promoting human rights is essential.

305. The delegation concluded that, over twenty-one years after the restoration of its independence, Latvia has developed modern comprehensive legislation and an institutional system for the protection of human rights. Latvia stood ready to facilitate further improvements and will report on progress in the next cycle of UPR. Latvia attaches the greatest importance to its human rights commitments and believes that the Human Rights Council's members must lead by example. Therefore Latvia has put forward its candidacy for the Human Rights Council elections in 2014.

2. Views expressed by Member and observer States of the Council on the review outcome

306. Algeria praised the frankness of the Latvian delegation in describing the problems and shortcomings it faced. It appreciated the acceptance of a high number of

recommendations, including two made by Algeria: to raise the status of the Ombudsman to that of a National Human Rights Institution and to pursue its efforts to combat human trafficking, particularly for women and children. Algeria referred to a third recommendation that was rejected regarding the ratification of the ICMW, hoping that Latvia will further review its position given the importance of this legal instrument for this vulnerable category of people and in accordance with the recommendation No 1737 adopted by the Council of Europe Parliament Assembly on 17 march 2006.

307. The Russian Federation was surprised that Latvia rejected the recommendations to (rapidly) eliminate the system of non-citizenship and to simplify naturalization procedures for children and retired persons. It also referred to the partial rejection to grant immediately the right to the non-citizens to fully participate in the political life. Russia noted that codifying the prohibition against xenophobic and racist propaganda and instituting criminal liabilities for such activities, as well as ensuring the rights of minorities to get information in their native language were not being implemented as stated by Latvia. It called on Latvia to review its position on recommendations made by the international community and take all the necessary measures to fully observe the rights of national minorities and eliminate the system of non-citizenship, the structural discrimination and racial hatred and intolerance.

308. Estonia thanked the Republic of Latvia for its open and constructive cooperation with the UPR process. Estonia was pleased to note that Latvia has already implemented or intended to implement a high number of recommendations including those on the continuation of measures for the protection of rights of children and disabled persons and the promotion of gender equality. It also noted a continued improvement of conditions in prison, and in combating racism, hate crimes and human trafficking. Sharing a similar historical experience with Latvia, Estonia wished to emphasize that the creation of a modern institutional system for human rights protection and promotion in a short period of 20 years since its independence was a substantial achievement. It commended Latvia for its continuous successful on promoting the issuance of standing invitations to Special Procedures.

309. Moldova applauded the constructive engagement of Latvia with the UPR. It welcomed Latvia's pledge to issue among the first states a standing invitation to the United Nations Special Procedures and to actively promote standing invitations. Moldova appreciated Latvia's acceptance of its recommendations and welcomed the commitment to ensure the compliance of the Ombudsman institution with the Paris Principles. It praised Latvia's commitment to earmark sufficient funds for all child protection programs. Moldova also noted with satisfaction Latvia's commitment to adopt appropriate measures in order to prosecute and punish perpetrators of trafficking in human beings and to develop effective systems for the timely prevention of the sexual exploitation and trafficking of children.

3. General comments made by other relevant stakeholders

310. European Region of the International Lesbian and Gay Federation (ILGA –Europe) commended Latvia for accepting recommendations to intensify efforts to combat discrimination on the basis of sexual orientation and gender identity; to provide general information about anti-discrimination and reform the curriculum in schools as to provide information about gender equality, lesbian, gay, bisexual and transgender and ethnic minorities; thus engaging in awareness raising activities. ILGA-Europe recommended that Latvia establish a concrete plan of implementation of the measures mentioned in close co-operation and consultation with civil society organisations. It raised concern about the rejection of a recommendation to recognize the diversity of family forms and recommended that Latvia reconsiders its position and ensures that equal rights between same sex and opposite sex couples in its legislation and policies. It also recommended that Latvia reconsiders its position to include sexual orientation and gender identity in its hate crime legislation. Finally ILGA recommended that the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity be applied as a guide to assist in policy-making.

311. Rencontre africaine pour la Défense des Droits de l'Homme (RADDHO) appreciated Latvia's cooperation with the Special Procedures. It raised its concerns with regard to the discrimination against migrants, Roma young women, Russian citizen workers and refugees. It referred to the legislation to combat human trafficking adopted in 2000 and requested the legislation to be more vigorous in combating violence and abuse against women. It mentioned that throughout the years, prison authorities have opened five investigation cases of the violent deaths of prison inmates. RADDHO stressed that the lack of access to attorneys for detainees should be considered. Finally it invited Latvia to continue to create mechanisms for human rights education of police and security forces and to ratify the CEDAW.

4. Concluding remarks of the State under review

312. In conclusion, Latvia underlined the enriching experience of the UPR leading to new steps to improve the human rights record. The delegation thanked all delegations and NGOs and looked forward to the second cycle of this exercise.

Sierra Leone

313. The review of Sierra Leone was held on 5 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Sierra Leone in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SLE/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SLE/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SLE/3).

314. At its 21st meeting, on 22 September 2011, the Council considered and adopted the outcome of the review of Sierra Leone (see section C below).

315. The outcome of the review of Sierra Leone comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/10), the views of Sierra Leone concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/18/10/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

316. The delegation, on behalf of President Koroma, reaffirmed the Government's commitment to promote and safeguard human rights in Sierra Leone, that it would shortly be seeking technical assistance to help it fast track the domestication of all international human rights and humanitarian instruments to which it is a party, and its commitment to the abolition of the death penalty.

317. Sierra Leone welcomed the opportunity of being reviewed in May and most especially, appreciated all recommendations made by States. 129 recommendations were put forward. The delegation addressed 101 of those recommendations adequately and promised to submit the outstanding 28 recommendations to the stakeholders and the people of Sierra Leone for the proper determination of its response.

318. On returning to Sierra Leone, the delegation presented its report to the President in Cabinet together with the recommendation for a nationwide consultation and presentation to stakeholders and citizenry. This was readily approved and with technical assistance from UNIPSIL (which is also the field office of OHCHR). Those consultations were conducted in August.

319. The consultations were planned and carried out by the Ministry of Justice and the Human Rights Secretariat in the Ministry of Foreign Affairs and International Cooperation. Participants were drawn from a variety of groups: tribal heads, trades unions, prison officers, police, military, general citizenry, civil society organizations and non-governmental organizations. The consultations were held in major cities, starting in the east and culminating in Freetown.

320. At the consultations the report of the review was presented, reasons were given for the position already taken on recommendations and an explanation provided on the need to hold interactive consultations throughout the country to discuss carefully the 28 outstanding recommendations and determine Sierra Leone's position on them. This approach was very successful as the turn out in all the consultations was higher than anticipated and the feedback carefully tallied so as to share the outcome with the Human Rights Council.

321. There were plans to hold the proposed high level consultation with cabinet Ministers and the higher echelons of the civil service almost immediately following the delegation's return to Freetown.

322. Sierra Leone's provided its position on the recommendations. It accepted recommendation 82.1 with the clarification that Parliament would have to consider the second optional protocol to the International Covenant on Civil and Political Rights, at the earliest.

323. Sierra Leone accepted recommendations 82.2, 82.3, 82.4, 82.14-82.25 in principle, subject to constitutional review. Sierra Leone reminded participants that the Constitutional Review process had been suspended and that it intended to continue with the review process after the elections.

324. Sierra Leone accepted recommendations 82.5, 82.6, 82.10, 82.27 and 82.28. It accepted recommendations 82.11 with a clear call for technical assistance in the implementation of the National Gender plan and the National Action Plan on United Nations Security Council Resolution 1325 (2000) and 1820 (2008) as well as in formulating a strategy to combat violence against women. It also accepted recommendations 82.12 and 82.13 with a call for technical assistance. Recommendation 82.26 was accepted with the explanation that an existing Board could do with technical assistance and training for carrying out its mandate and informing the public. Sierra Leone rejected recommendations 82.7, 82.8 and 82.9.

2. Views expressed by Member and observer States of the Council on the review outcome

325. Algeria commended the constructive commitment of Sierra Leone in the framework of UPR and its rather spectacular acceptance of 126 recommendations out of 129. It expressed its confidence that, thanks to the identification of Sierra Leone's needs in terms of technical assistance and its requests to OHCHR, the Government would have the capacity to make up for the lag of time it had accumulated in the presentation of periodical reports to treaty body. Algeria underlined that the use of technical assistance would also help Sierra Leone to make possible the operationalization of the plans for the promotion of human rights. Algeria welcomed the acceptance of recommendations relating to combatting the violence against women and to improving the conditions of detention. Algeria called on the international community to support Sierra Leone in providing it with the technical assistance it had requested in order to meet its commitments in terms of human rights.

326. Morocco stated that the acceptance of the majority of recommendations, including the two made by Morocco on the protection of the rights of children and the promotion of women's role in the society, was an act of good will showing the commitment of Sierra Leone in the UPR process. It added that the legal and institutional measures, the good governance and the achievements in several human rights' areas showed the commitment of the authorities for the questions of human rights. Moreover, the Moroccan Delegation highlighted that national will and efforts of a country with a fragile economy that was

emerging of a conflict, could not reach the results hoped for in terms of development and promotion of human rights. Therefore, Morocco called for solidarity in favour of Sierra Leone.

327. Mauritania congratulated Sierra Leone for its human rights accomplishments in a difficult socio-economic context. Sierra Leone's acceptance of the majority of recommendations made during the UPR, reflected its willingness and determination to be open to the promotion and protection of human rights, and called for the international community to provide the necessary assistance to enable Sierra Leone to implement its recommendations.

328. Nigeria commended Sierra Leone for its efforts to promote transparency and the reintegration of the various war victims. Nigeria recognized the Government's efforts to consolidate peace and stability and to harmonize domestic legislation with international human rights instruments. Nigeria commended Sierra Leone for its institutional reform including the establishment of the NHRC, Anti-Corruption Commission and the Parliamentary Human Rights Committee. Nigeria noted the promised steps to eliminate child labour and forced labour, and to mobilize resources for the successful implementation of national programmes that support economic, social and cultural rights. Nigeria encouraged the Government to continue with and reinforce its programme of reconciliation and to improve living standards.

3. General comments made by other relevant stakeholders

329. The Human Rights Commission of Sierra Leone, which had just been accredited with "A" status, held the view that positive steps would now be taken to use the Universal Periodic Review process to remedy Sierra Leone's poor record of reporting on international human rights instruments. The Commission remained committed to providing technical support and monitoring the Government's implementation of its recommendations, particularly on accession and ratification of international instruments, the signature and ratification of the Second Optional Protocol to ICCPR, as well as the passing of the Freedom of Information Bill, which were critical for human rights and the advancement of women and children. The Commission looked forward to: establishing strategic partnerships in order for progress in implementation to be reported on at the next review; and follow-up visits of special procedures. The Commission hoped that the development of action plan on human rights and the rights of children would include measures to implement the new UN Human Rights Council Guiding Principles on Business and Human Rights. With regard to the 2012 elections, the Commission called on the Government to prioritise the implementation of those recommendations facilitating the conduct of peaceful, free and fair elections. The Commission hoped that its new status would be reflected in increased Government support and response to its recommendations and activities.

330. World Vision Sierra Leone welcomed the Government's acceptance of several recommendations concerning maternal and child health. World Vision, while recognizing the authorities' implementation of the free health package, remained concerned that many pregnant women and children living in rural and remote areas continued to be denied access to care and medicines because of their inability to pay for the services and limited outreach of trained community-based health personnel. Health in rural communities was stated to be especially affected by insufficient water and sanitation facilities, continued lack of access to mosquito nets, insufficient number of health workers and inadequate birth registration facilities. World Vision called on the authorities to increase their annual expenditure for health to 15 per cent of the national budget, as committed to under the Abuja Declaration, and expressed its commitment to assist them in the implementation of health-related obligations.

331. Save the Children presented its statement on behalf of the Child Rights Coalition – Sierra Leone. The Child Rights Coalition commended the Government for immediately accepting 101 recommendations made by the working Group and the open attitude for collaboration with the Human Rights Commission and civil society towards the implementation of the recommendations. While commending the acceptance of

recommendation 81.36, they called on the Government to put in place effective measures to address the inadequate implementation of the 2007 Child Rights Act (CRA), as key Child Protection structures such as Child Welfare Committees and Departments at Councils, were yet to be established. They strongly urged the Government to pass legislation to establish an independent and resourced National Commission for Children in line with its commitments. On recommendations 80.18, 80.19 and 80.20, they commended the Government for passing the legislation on banning FGM for children below 18 years, but remained concerned that the issue still prevailed particularly in rural communities. Children as young as five, were still initiated and circumcised, therefore, they urged the government to quickly sensitize the public about the new legislation and enforce laws for defaulters.

332. Amnesty International highlighted that thirteen states raised the issue of the death penalty during the review of, calling for a moratorium on executions, abolition of the death penalty, and ratification of the Second Optional Protocol to the ICCPR. It congratulated Sierra Leone on accepting those recommendations and urged it to take immediately all necessary steps to abolish the death penalty in national law and to commute existing death sentences to terms of imprisonment. Amnesty International welcomed Sierra Leone's commitment to address causes of maternal mortality and its review of maternity healthcare policies and improving access to confidential family planning and sexual health and reproductive services. Amnesty International referred to reports by women and girls that drugs and medical supplies were not available at health facilities or they were charged for medicines and care that were supposed to be free. It called on the Government to reinforce transparency and accountability by monitoring and investigating shortcomings in the national health systems, and to respond robustly to allegations of corruption and systematic malpractice. It urged Sierra Leone to: make a grievance mechanism available within the health system and inform patients about their right to redress; and to promptly implement the many recommendations on the elimination, prohibition and the criminalization of FGM.

333. Rencontre Africaine pour la Defense des Droits de l'Homme (RADHO) recalled the atrocities committed during the war in Sierra Leone such as the countless amputations, mass rapes and forced recruitment of thousands of teenagers and children. It underlined that the indictment of Charles Taylor by the ICC gave hope to numerous victims of the conflict and stated that Colonel Khadafi must also be held accountable for his support to the Revolutionary United Front (RUF). Furthermore, RADHO highlighted that the authorities should make more efforts to meet the following challenges: combatting poverty and corruption, improving access to justice and promoting national reconciliation, reviewing all the questions relating to the preparation of the 2012 elections and combatting genital mutilations as well as discrimination against women and albino children, who were allegedly killed as part of occult practices.

4. Concluding remarks of the State under review

334. The delegation expressed appreciation to speakers for their contributions. All issues raised had been noted.

335. Sierra Leone reiterated its commitment to the advancement of human rights in all spheres of life in the country. The delegation briefly commented on the question of the death penalty. Sierra Leone in principle accepts the abolition of the death penalty. In April 2011, all death sentences were commuted to life imprisonment. Since May 2011, there had been two more convictions. While there were moves to commute the sentences to life imprisonment, appeals on these cases were pending in the Court of Appeals.

336. Responding to questions raised, Sierra Leone considered the provision of free health care as "work in progress", appreciated the suggestions made on this matter and would consider them. Recently, a special body had been established specifically for monitoring the implementation of the free health care system. It was composed not only government functionaries but also civil society organizations and some development partners. Its work continued.

337. Sierra Leone was taking steps to ensure that children enjoyed their rights, particularly by ensuring that no child shared detention facilities with adult prisoners; and by establishing and strengthening the juvenile court system. The Commission for children was being restructured to make it more robust and active.

338. Access to justice was receiving active attention in Sierra Leone. It was recognized that 70 per cent of persons going through the justice system did so through the local courts which were not part of the formal justice system. Sierra Leone had now brought the local courts into the formal system under the auspices of the Chief Justice, as the recruitment and staffing of those courts was to be undertaken through that office.

339. The Government was committed and continued to implement the recommendations of the Truth and Reconciliation Commission.

340. Sierra Leone made reference to recommendation 80.18 on the question of female genital mutilation and the Government's continued sensitization of persons connected with this practice. The Government accepted in principle that the practice ought to be abolished, but recalled that some traditions were deeply rooted and pleaded for implementation on a progressive basis.

341. The delegation totally rejected the idea of child killing for occult purposes and stated that this did not happen in Sierra Leone.

Singapore

342. The review of Singapore was held on 6 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Singapore in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SGP/1);

(b) The compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SGP/2); and

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SGP/3 and A/HRC/WG.6/SGP/3/Corr.1).

343. At its 21st meeting, on 22 September 2011, the Human Rights Council considered and adopted the outcome of the review on Singapore (see section C below).

344. The outcome of the review of Singapore comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/11), together with the views of Singapore concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/18/11/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

345. The Singapore delegation reaffirmed that the UPR process had been a very instructive experience, in which all relevant government ministries had met regularly for more than a year to evaluate the effectiveness of its domestic policies and debate whether more could be done. The civil society had been regularly consulted. It emphasized that Singapore had entered the process with an open mind.

346. The delegation noted that, at the time of its review, Singapore had received 112 recommendations of which it had accepted 52, rejected 21 and deferred 39 recommendations. After careful consideration, Singapore had now decided to accept 23 of the pending recommendations in part, and 9 in full. This means that Singapore supported, either fully or partially, 84 out of the 112 (i.e. 75 per cent) of the recommendations received. Overall, most recommendations that Singapore was not ready to support related

to crime and security issues, including with regard to the death penalty and corporal punishment for reasons already explained previously. Another cluster of recommendations that Singapore could not support related to the establishment of an NHRI, as Singapore preferred a decentralized but mutually reinforcing system of human rights protection. Similarly, it believed that the best way to protect child rights was through an integrated system of legislation, policies and services. Concerning the treatment of women prisoners, Singapore acknowledged in-principle the merits of the Bangkok rules but did not accept the recommendation to implement them as it believed that each country needed to determine its own best approach, taking into consideration its specific domestic situation and other relevant factors. The delegation also underlined that in the Report of the UPR Working Group on Singapore, it had explained why Singapore did not see the need to establish an independent elections body as recommended. The delegation added that there were also a few recommendations that it was not able to support as they were based on incorrect assumptions or premises.

347. Singapore noted that it had also accepted in part the many recommendations to consider ratification of various international human rights instruments, in line with its policy to constantly review and consider accession to those instruments to which it is not yet a party. It informed that in June 2011, it had ratified the ILO Maritime Labour Convention, thus strengthening its commitment to bringing about decent work conditions for seafarers working on Singapore-flagged ships. In the same month, consistent with its policy of constantly reviewing the declarations and reservations which it had filed upon ratification of HR instruments, and following significant developments in the practice of sharia law in Singapore, Singapore partially withdrew its 1995 reservation to CEDAW. Furthermore, Singapore intended to accede to the Convention on the Rights of Persons with Disabilities by the end of 2012.

348. Singapore further assured that it was committed to the fight against trafficking in persons and to protecting the rights of victims. The Government worked closely with a network of NGOs, hospitals and schools to ensure appropriate assistance, and it was engaging several foreign embassies to strengthen partnership and coordination to counter TIP. Singapore also looked forward to working closely with the anti-trafficking units of other ASEAN countries. It was in the process of developing a National Action Plan to step up efforts to fight trafficking.

349. With regard to children and women's rights, Singapore confirmed that it was committed to implementing the recommendations made by the CEDAW Committee and the Committee on the Rights of the Child, consistent with the treaty obligations applicable to it, noting that several recommendations received at the UPR in May affirmed Singapore's efforts in this area. In particular, Singapore informed that it had made further progress in enhancing the legal protection of children with recent amendments made to the Children and Young Persons Act relating to the licensing of children and young persons' homes. Similar progress had been made in enhancing the legal protection of women, with amendments to the Women Charter made in January 2011 with the aim of mitigating the impact of divorces on women.

350. Concerning recommendations related to racism and racial discrimination, Singapore reaffirmed that racial and religious harmony was of paramount importance to Singapore and that the Government would continue to support civic and community initiatives in this area. It also referred to its response, which had since been circulated as an HRC document, to the recommendations by the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and xenophobia following his visit to Singapore in April 2010. Singapore similarly affirmed that it took the well-being of migrant workers seriously and was continually reviewing regulations to refine employers' responsibilities. For example, recruitment regulations were recently tightened to reduce migrant worker debt in Singapore.

351. Finally, the delegation acknowledged the role of civil society organizations in Singapore's follow-up to the UPR, noting that the Government appreciated their tireless efforts.

2. Views expressed by member and observer States of the Council on the review outcome

352. Viet Nam commended Singapore's positive reaction to many of the recommendations received, including three of its own recommendations, and welcomed Singapore's efforts to implement them. In particular, it highlighted efforts to continue strengthening the harmony between different ethnic and religious groups; to take steps to accede to international human rights instruments; and to establish a process for the follow-up of recommendations. Viet Nam encouraged Singapore to continue implementing the recommendations in close cooperation with the UN mechanisms.

353. Brunei Darussalam congratulated Singapore on its constructive engagement with the United Nations human rights system and its continued commitment to the promotion and protection of human rights. It commended Singapore for the efforts made in this area, and for sharing its best practices in the fight against trafficking of persons. Brunei Darussalam stated that it would continue to work closely with Singapore as a regional partner through the ASEAN mechanism.

354. Algeria noted Singapore's achievements in economic and social development, which had a positive impact on the enjoyment of human rights. It hoped that Singapore would continue efforts to promote harmony between the different components of its diverse society. Algeria recalled its recommendations on the promotion of racial and religious tolerance and the advancement of women and it thanked Singapore for accepting its recommendations to ratify ICERD and ICRPD. At the same time, it requested a response concerning its recommendation for the ratification of ICMW.

355. Thailand welcomed Singapore's acceptance of a number of its recommendations, particularly concerning migrant workers and trafficking. It commended Singapore's efforts in protecting the rights of vulnerable groups, noting in particular increased budgetary allocations for the education of children with special needs. While some of Thailand's recommendations on national human rights institutions and the Bangkok Rules did not enjoy the support of Singapore, Thailand hoped that Singapore would continue to strengthen its independent mechanisms and give due consideration to the needs of women prisoners.

356. Indonesia noted Singapore's commitment to human rights and fundamental freedoms, which had contributed to prosperity, peace and stability in the region. It appreciated the acceptance of Indonesian recommendations concerning the ratification of human rights instruments; the preservation of family institutions and religious tolerance; and the elimination of discrimination against women and trafficking in persons. It highlighted the enactment of laws against trafficking in persons and welcomed Singapore's commitment to the well-being of migrant workers.

357. Lao PDR noted that Singapore had accepted large number recommendations and taken steps to implement these recommendations. It noted that Singapore's multi-ethnic and multi-cultural society lived together peacefully and appreciated Singapore's efforts to further advance the lives and well-being of its people. Lao PDR noted with appreciation the five fundamental principles governing Singapore's policy on human rights and commended Singapore's cooperation with UN human rights mechanisms.

358. Myanmar appreciated Singapore's constructive engagement with the UPR and was pleased that it had accepted numerous recommendations, including Myanmar's recommendations to provide foreign workers with appropriate legal channels to work in the country. Myanmar commended Singapore's commitment to strengthening interaction with the human rights mechanisms, including through an invitation extended to the Special Procedures mandate holders.

359. Malaysia welcomed Singapore's intention to accede to the Convention on the Rights of Persons with Disabilities and was pleased that Singapore had accepted all its recommendations. Malaysia was aware of the need for Singapore to be afforded the necessary time and space to continue improvements in the promotion and protection of

human rights and thanked Singapore for its constructive participation in the UPR process. It wished Singapore well as it embarked on the implementation of accepted recommendations.

360. Cambodia noted Singapore's commitment to human rights, its achievements in the areas of socio-economic development; health services, education and housing; as well as the promotion of the rights of women, children, persons with disabilities and the elderly. Cambodia welcomed Singapore's cooperation with the international community in promoting and protecting human rights. Furthermore, it highlighted Singapore's policies aimed at maintaining political stability and promoting good governance. It looked forward to working with Singapore through the regional framework.

361. India thanked Singapore for its detailed responses to the recommendations set out in the Addendum to the Working Group report. It took positive note of the receptive, candid, cooperative and constructive manner in which Singapore was participating in in the UPR process. It felt encouraged by Singapore's acceptance of a large number of recommendations and was confident that Singapore would further intensify its efforts to implement the accepted recommendations.

362. The United States of America welcomed the acceptance by Singapore of many recommendations and its intention to ratify CRPD, ICERD and OP-CRC-SC. While applauding the holding of presidential elections and the consideration given to the establishment of an independent elections body, it remained concerned about the ability of the people to change the government and encouraged the reform of electoral laws. It further encouraged efforts to fight human trafficking and assist victims, as well as ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons. It remained concerned about freedom of expression and the right of peaceful assembly, urging Singapore to repeal the 2009 public assembly law, and regretted Singapore's rejection of a moratorium on corporal punishment.

363. Saudi Arabia stated that Singapore's commitment to human rights was demonstrated by its cooperation with human rights mechanisms and its readiness to engage in a genuine dialogue on human rights. Singapore was a party to many international human rights instruments and had shown its eagerness to realise the human rights enshrined in these instruments. Saudi Arabia commended Singapore for its cooperative spirit and the efforts made in the protection and promotion of human rights.

3. General comments made by other relevant stakeholders

364. Article 19 and MARUAH referred to significant changes in Singapore since the review in May, noting that the outcome of the general election was indicative of the people's desire for increased space and freedom to express themselves, and a stronger say in policy-making discussions. However, the government had not accepted the recommendations concerning civil and political liberty, including with regard to ratification of ICCPR and ICESCR, the withdrawal of reservations to CEDAW and CRC, the establishment of a national human rights commission, a review of defamation laws, the Newspaper Printing and Publishing Act and laws for preventative detention, and concerning the death penalty.

365. Human Rights Watch regretted Singapore's refusal to repeal the Internal Security Act and other laws permitting detention without charge when claiming threats to national security and public order, and urged it to rescind preventive detention laws. HRW further urged Singapore to reject the use of the death penalty and to endorse a moratorium on the death penalty. HRW demanded that the rights to freedom of expression, association and peaceful assembly be ensured. It noted Singapore's plan to ratify ICERD but urged ratification of all core human rights treaties and a commitment to ending the use of torture. Furthermore, HRW urged Singapore to ratify ILO Convention N° 189 and the ICRMW.

366. Conscience and Peace Tax International (CPTI), noting that its submission had not been reflected in the summary of stakeholder information in time for the review, stated that the issues raised in its submission included the non-recognition of the right of conscious objection to military service and the repeated call-up of conscientious objectors. It

expressed the hope that these issues would feature in Singapore's review during the second cycle and encouraged Singapore to address them in its national report for that cycle.

367. Asian Forum for Human Rights and Development urged Singapore to engage with a broader civil society selection in the follow-up process. It urged Singapore to revisit its position on capital punishment and preventive detention, reiterating the recommendation for a moratorium on the death penalty. It called on Singapore to repeal the Internal Security Act, which impairs the right to due process and judicial protection. It further asserted that no efforts had been made to bring Singapore's migrant labour regulation in line with international standards. In this regard it highlighted recommendations to ratify ICRMW and to amend some migrant labour acts. It urged the adoption of a rights-based approach in considering the minimum wage legislation.

368. International Federation for Human Rights (FIDH) expressed disappointment at Singapore's rejection of 27 key recommendations, especially those relating to the protection of civil and political rights. It recommended the decriminalization of defamation and the reformation of laws such as the Newspaper and Printing Presses Act, the Public Order Act and the Undesirable Publications Act, so as to ensure their compliance with international standards. FIDH also recommended increased respect for fundamental freedoms in practice, and greater tolerance for criticism and opposition. It expressed regret that Singapore had rejected recommendations for the abolition of the death penalty and corporal punishment. It called on Singapore to repeal all provisions that provide for mandatory death sentencing and to implement an immediate moratorium on the use of capital punishment.

369. Amnesty International (AI) regretted Singapore's rejection of recommendations to end the use of mandatory death sentences; to impose a moratorium on the death penalty; and to end judicial caning. AI was disappointed that Singapore had not accepted recommendations regarding preventive detention. It urged Singapore to repeal the Internal Security Act and to ensure that criminal proceedings meet international fair trial standards. AI welcomed Singapore's intention to consider ratification of ICERD and urged the ratification of other human rights instruments, particularly ICCPR. AI welcomed Singapore's support for recommendations to protect migrant workers' rights. While noting that recent measures provided better protection, AI observed that migrant workers still faced difficulties and that labour laws continued to exclude migrant domestic workers from basic protection.

4. Concluding remarks of the State under Review

370. The Singapore delegation expressed its appreciation to all participants in the dialogue. The dialogue had generated valuable inputs that would help Singapore in its domestic efforts to constantly review and adjust its policies where necessary. Singapore hoped that, at the next UPR in 2016, it would be able to show progress in some of the areas in which further improvement was desirable.

Suriname

371. The review of Suriname was held on 6 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Suriname in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SUR/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SUR/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SUR/3).

372. At its 22nd meeting, on 22 September 2011, the Council considered and adopted the outcome of the review of Suriname (see section C below).

373. The outcome of the review of Suriname comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/12), the views of Suriname concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/18/12/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

374. Suriname thanked the members of the Human Rights Council for the recommendations made in response to its national report and stated that these recommendations had prompted an additional in-depth evaluation of its national human rights situation by the Government.

375. Suriname indicated that a significant number of the recommendations had been accepted after careful deliberations. It felt that these recommendations provided a sound foundation for the implementation of policy aimed at providing a more effective protection and enjoyment of human rights. Furthermore, they constituted a solid framework for the nation's human rights agenda. This framework encompassed socio-economic, political and cultural rights, as well as an outline of the necessary conditions for adequate enjoyment of said rights.

376. Even though the diversity of the recommendations which had been accepted, presented an additional challenge to Suriname, they would be dealt with by the State in a most positive manner.

377. The delegation stated that the recommendations accepted by the Government of the Republic of Suriname, were grouped under paragraphs 3 and 4 of the Addendum to the working group report.

378. The recommendations that could not be accepted related to issues which were currently being analyzed by the Government, in view of their prospective impact on society as a whole. Broad national discussion and consensus were needed.

379. One such issue was the claim to land rights. Subsequent governments had, each in their own way, tried to deal with the issue of land rights. In dealing with this issue, two things must be taken into account. On one hand, there was the claim made by the Maroon and Indigenous people on the land which they had lived on, cultivated and utilized for centuries. This claim was aimed at the State's recognition that they, the Maroon and Indigenous people, had a right to this land.

380. On the other hand, the Government deemed the entire territory of the Republic of Suriname to belong to the State, with the exception of those instances in which a third party could prove otherwise. Furthermore, the State decreed that each Surinamese citizen, including those of Maroon and Indigenous descent, was entitled to request land within the State's domain.

381. The delegation stated that, in the past decades, the issue had developed in such a way that it had assumed the nature of a conflict between Maroon and Indigenous people on one side, and the Surinamese State on the other side; thus a conflict between the government and a group of its citizens.

382. Due in part to different definitions of the issue, various interpretations of both the historical context as well as the result of the development process after its decolonization and the ambitions of the State, this matter could not be dealt with adequately and as yet no solution had been arrived at. The need for a satisfactory solution was more pressing than ever.

383. The delegation indicated that the government would need to identify an instrument through which the entire nation would come to realize that the issue of land rights was a national issue. Against this backdrop, the land right conferences, which had been planned

by the Government, strove to provide a platform for representatives from all areas of society, to arrive at a redefinition of the issue, thus laying the groundwork for an environment in which the rights of all citizens, including those of the Maroon and Indigenous people, might be respected and realized within the scope of the State's ambitions.

384. The delegation stated that another highly sensitive issue was that of specific recognition of the rights of Lesbian, Gay, Bisexual, and Transgender (LGBT) individuals. The Government felt that the constitution of the Republic of Suriname provided adequate protection from discrimination to all. The constitution stated that no individual might be discriminated against because of birth, sex, race, language, ancestry, education, political persuasion, economic status, social circumstance or any other status.

385. Notwithstanding the above, any attempt to embed specific rights for LGBT individuals in its legislation, was doomed to failure without the support of Parliament. Since Parliament was but a reflection of the people, any legislative initiative regarding such a highly controversial issue, must be preceded by a broad national discussion, in which the views of both the LGBT individuals, as well as those of other relevant groups in society, should have to be taken into account and respected.

386. Finally, the delegation stated that a number of protocols and conventions could not at this time be ratified since such decisions would required a broad national discussion, as should be the case for issues relating to the ILO Convention No. 169.

387. The recommendations which could not be accepted were grouped under Chapter IV of Suriname's addendum to the Report of the Working Group on the Universal Periodic Review.

388. In conclusion, , although a number of recommendations had not at this time been accepted by the Republic of Suriname, the government was very much aware of the fact that they provided a challenge to improving the overall human rights situation in Suriname. These recommendations would thus enjoy the continued attention of the government of the Republic of Suriname.

2. Views expressed by Member and observer States of the Council on the review outcome

389. Algeria congratulated Suriname for its acceptance of the majority of the recommendations received during the Universal Periodic Review, noting that more than 71% of these had been accepted. It expressed particular satisfaction that Suriname had accepted the four recommendations made by Algeria on: strengthening the participation of women in the political sphere; the fight against the trafficking and exploitation of children; the fight against poverty by paying specific attention to the economic, social and cultural rights of the most disadvantaged; and the establishment of a national human rights institution in accordance with international standards. Algeria expressed the hope that the broad process carried out for the preparation of the Universal Periodic Review would be maintained in the implementation phase. It stated that the international community should show understanding of the difficulties faced by the country and provide constructive assistance to help Suriname attain the Millennium Development Goals.

390. Cuba stated that Suriname had made great efforts to minimize the negative impact on human rights of the economic crisis and the unjust international economic order. It recognized the work of the Government in dealing with the complex issues stemming from a multi-ethnic and multi-religious society. It noted efforts to combat gender inequalities in the home and in society. Regarding health, Cuba highlighted the significant progress made in the prevention of mother to child transmission of HIV/AIDS. It also underscored that Suriname heads the fight against malaria in the American continent and that the country is about to attain the second Millennium Development Goal by guaranteeing universal primary education. Cuba congratulated Suriname for accepting many of the recommendations made during the Working Group, including those it had formulated in relation to continuing efforts to promote and protect the rights of women, children and

juveniles and overcome their vulnerability, and continue implementing programmes and measures to enhance the enjoyment of the right to education and the right to health.

391. The United States of America expressed appreciation for the serious commitment with which Suriname had approached the Universal Periodic Review. It also appreciated the support given by Suriname to its recommendations to convene a conference on indigenous peoples and to continue working with the Special Rapporteur on the rights of indigenous peoples. The United States was also grateful for information provided on the recommendations related to the protection of lesbian, gay, bisexual and transgender (LGBT) persons from discrimination. It welcomed a constructive dialogue on this issue and noted that, in its addendum, Suriname placed these recommendations in a distinctive category, apart from those it had supported or rejected. It urged the Government to continue to consider recommendations that legislations protecting LGBT persons from discrimination be adopted.

392. Uruguay thanked Suriname for the detailed information provided and noted that it had been part of the Troika which facilitated the country's review. Uruguay welcomed that fact that a considerable number of recommendations had been accepted. It noted, in particular, Suriname's commitment to concluding the ratification processes of the two Optional Protocols to the Convention on the Rights of the Child, as well as the Optional Protocol to the Convention on the Rights of Persons with Disabilities. Uruguay also welcomed the Government's pledge to establish a national human rights institution in accordance with the Paris Principles. It urged Suriname to explicitly prohibit corporal punishment in schools and in the home and other establishments frequented by children. It also urged Suriname to definitively abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.

393. UNICEF welcomed the endorsement by Suriname of the recommendations to conclude the ratification process of the two Optional Protocols to the Convention on the Rights of the Child and to improve the quality and access to education, especially in the interior of the country. In line with the accepted recommendations, UNICEF called on Suriname to focus on the rights of the most vulnerable children living in the interior areas and those belonging to indigenous and minority groups. It also called on Suriname to prioritise the approval of key draft legislation such as the Wet Opvanginstellingen, the early child development standards, the draft law to create a child ombudsbureau in line with the 2006 Concluding Observations of the Committee on the Rights of the Child. UNICEF urged Suriname to submit its overdue combined 3rd and 4th periodic report to the Committee on the Rights of the Child. UNICEF offered its technical support and looked forward to continued collaboration with Suriname.

3. General comments made by other relevant stakeholders

394. Canadian HIV/AIDS Legal Network welcomed the fact that the Government would undertake steps to address concerns with regards to sexual orientation and identity. While agreeing that national legislation offered protection to all Surinamese citizens, Canadian HIV/AIDS Legal Network urged Suriname to explicitly include sexual orientation in article 8.2 of the constitution as a ground for non-discrimination and effectuate this article by developing specific sanctions for violations. It also urged Suriname to establish cooperation with LGBT organizations in the country for the development of laws, policies and programs to combat discrimination; and to present a timetable identifying the steps that the Government would undertake. While agreeing that these issues may be sensitive and require dialogue, Canadian HIV/AIDS Legal Network expressed the view that granting equal rights to LGBT citizens was not a matter of granting special rights but rather of applying existing human rights norms and principles to all.

4. Concluding remarks of the State under review

395. The delegation was grateful for the opportunities to respond to recommendations made by non-governmental organisations and States. With a view to clarifying the issues of LGBT individuals in Suriname, the delegation reiterated that the constitution of Suriname

provided equal rights to all its citizens. The Government of Suriname had never received any report from any organization that LGBT persons were discriminated. The delegation stated that, should written reports on specific instances of discrimination of LGBT individuals be received by the Government, these would be investigated and dealt with.

396. The Government of Suriname was planning to update its human rights agenda primarily guided by the accepted recommendations. When implementing the agenda, the Government would solicit necessary technical assistance from different non-governmental organisations and countries. The delegation indicated that the Government appreciated respect for human rights for all its citizens and recognised nevertheless that, due to limited resources, it was not always able to enhance human rights in the way it would like to. The delegation once again thanked all the countries and delegations, who had commented on its report.

Greece

397. The review of Greece was held on 9 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Greece in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/GRC/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/GRC/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/GRC/3).

398. At its 23rd meeting, on 22 September 2011, the Council considered and adopted the outcome of the review of Greece (see section C below).

399. The outcome of the review of Greece comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/13), the views of Greece concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/18/13/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

400. The delegation of Greece stated that the drafting of the national report was coordinated by the Ministry of Foreign Affairs, in cooperation with all ministries involved in the promotion and protection of human rights. The report focused on issues which have been the subject of particular attention by human rights mechanisms at the universal and regional level, as well as NGOs. During the drafting period, a meeting was held with NGOs representatives, following an open-ended invitation to all civil society stakeholders, including the National Commission for Human Rights and journalists. Views expressed in the consultation process were duly taken into account in the finalization of the national report.

401. Greece noted that, out of one hundred twenty-four recommendations formulated, Greece was able to accept 97 recommendations immediately thus demonstrating the readiness of the Greek Government to improve the level of human rights protection. Greece subsequently provided in writing its responses for eighteen recommendations which were left for further consideration: thirteen were accepted, three were rejected and two partially accepted and partially rejected as they refer to the signing and/or ratification of different human rights treaties.

402. With regard to ratification of core human rights instruments, Greece stated that preparatory work is underway on the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol, and the International Convention for the Protection of All

Persons from Enforced Disappearances. Moreover, the competent authorities are actively considering the issue of the designation of the national preventive mechanism, which will allow the ratification of the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. For the time being, Greece is not ready to sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. Greece will closely follow the practice that will be developed by the Committee on Economic, Social and Cultural Rights and review its position at an appropriate stage.

403. Likewise, Greece did not accept the recommendation for the signature and ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) because some of its provisions are not in harmony with existing European Union and national norms and policies. Greece was fully aware of the importance that a number of delegations attach to the above convention and stressed that the situation of foreign individuals legally residents in the country is continuously improving, in a way that promotes their integration in the social, economic and public life of the country.

404. Regarding the situation of irregular migrants and asylum seekers, Greece stated that this problem needs to be tackled at the European Union level. Greece is already implementing the National Action Plan on Migration Management and a flexible and decentralized mechanism has been established for a transitional period, with the participation of the UNHCR, to clear the heavy backlog and to ensure a rapid review of asylum requests. Five asylum committees are already operative. A law adopted in January 2011 provides for the establishment of an asylum agency and of a First Reception Service for Immigrants. In the reception centres to be created, a new screening process will allow, identification of, and support and guidance to, persons entitled to international protection. Furthermore, Greece implements programs of assisted voluntary returns, co-financed by the European Return Fund, in close cooperation with the IOM. In the framework of the completion of the Common European Asylum System by 2012, Greece supports policies and initiatives based on the principle of fair sharing of responsibilities and solidarity, and strives to enhance its cooperation on migration governance.

405. Greece noted that the promotion of gender equality and the fight against domestic violence were recurrent issues in the UPR WG. The General Secretariat for Gender Equality has launched a national action plan for the period 2010-2013 with the goal of preventing and combating violence against women in their family and in private life, in the workplace and more broadly in the society. Among other best practices, it is worth mentioning the strengthening of supervision and monitoring of gender equality in all State's policies, the support to women's organizations and NGOs for the elaboration and the implementation of action plans in favour of gender equality, the elaboration of a manual aiming at the protection of women refugees.

406. Greece stated that the fight against trafficking in human beings continues unabated, based in particular on the prosecution of traffickers and the protection of victims. On the situation of Roma, Greece noted that the Integrated Action Plan for the social integration of Greek Roma (2002-2008) yielded positive results, in particular in the field of housing. Educational programs are implemented with a two-fold goal: to enhance the access of Roma children to the educational structures since a very early stage and to improve the education provided to Roma children. Another important measure is the establishment of Educational Priority Zones aiming at ensuring integration of students from areas with low educational and socio-economic indicators, including Roma pupils. The legislative framework against hate speech and racism will soon be updated and strengthened through the inclusion of a relevant European Union Council Framework Decision into the Greek legal system. Procedure for the building of a mosque in Athens will be accelerated through the transformation of an existing building in a state owned plot.

407. With regard to accountability of law enforcement personnel, a new law was adopted in 2011 establishing, within the Ministry for Citizens' Protection, an office responsible for handling alleged instances of abuse by Police, Coast Guard and Fire Brigade officers.

408. Finally, the delegation of Greece stated that the outcome of the UPR will widely be disseminated to government authorities, relevant stakeholders and the general public. Civil society and national human rights institutions will closely be associated to the follow-up of activities, which will be undertaken in the future, in compliance with UPR recommendations.

2. Views expressed by Member and observer States of the Council on the review outcome

409. Algeria noted that during the inter-active dialogue of the Universal Periodic Review of Greece, it formulated recommendations related to the ratification of the CRPD, the efforts made in the area of combating racism and xenophobia; human trafficking and engagement in the field of international cooperation. Algeria thanked Greece for having accepted those recommendations and expressed the hope that Greece will reconsider its position on Algeria's recommendation on the ratification of the ICRMW, in line with recommendation 1737 of 17 March 2006 of the Parliamentary Assembly of the Council of Europe. Algeria finally reiterated its appreciation for the contribution of Greece through Official Development Assistance despite its financial constraints.

410. Armenia stated that it appreciated Greece's efforts to overcome the phenomenon of irregular migration, inter alia, through the implementation of the National Action Plan on Migration Management. It was pleased to note that its recommendation concerning the ratification of the International Convention for the Protection of All Persons from Enforced Disappearances, and the ratification of the Optional Protocol to the Convention on Torture enjoyed Greece's support. Noting Greece's acceptance of recommendations on trafficking in persons, Armenia stated that they were confident that Greece will continue its efforts to prevent human trafficking.

411. The Republic of Moldova commended Greece's cooperation with civil society, private sector and United Nations human rights mechanisms. It applauded Greece for continuing its fruitful dialogue with civil society and the national human rights institution in UPR follow-up. It welcomed Greece's commitment to gender equality and acknowledged progress in combating human trafficking. It also acknowledged Greece's acceptance of a number of recommendations, including Moldova's four recommendations. It noted with satisfaction Greece's efforts to eliminate patriarchal attitudes and stereotypes regarding the roles of women and men. It was pleased that Greece increased efforts to combat trafficking in women and girls and transnational child trafficking and exploitation. It welcomed efforts to increase women's participation in public life, particularly in Parliament.

412. Iraq commended Greece's efforts to prepare its national report. It appreciated the efforts being made to protect and respect human rights and fundamental freedoms and wished Greece success in its efforts to improve the living standards of all categories of inhabitants, its citizens and their general prosperity. It noted that more than 120 recommendations had been presented within the framework of the UPR and noted Greece had accepted 97 recommendations, deferred 18 and refused others. It highlighted Greece's efforts despite the difficult economic situation it was undergoing.

3. General comments made by other relevant stakeholders

413. The Greek National Human Rights Institution, accredited with A status, appreciated the Government's engagement with the UPR. It reminded the context that determines the enjoyment of human rights in Greece, noting segments of the population were affected by the consequences of the financial crisis and the government's extremely harsh measures. It noted Greece responded positively to many recommendations and highlighted: the acceptance of recommendations regarding National Action Plan for the reform of the asylum system and migration management; the pledge to progress on ratification of OPCAT and ensure appropriate conditions of detention. It approved Greece's support to

recommendations regarding the ratification of CRPD and its pledge to strengthen prevention of discrimination and incitement to hatred, and Greece's commitment to improve police accountability.

414. The European Region for the International Lesbian and Gay Federation was pleased Greece accepted a recommendation to include sexual orientation and gender identity as grounds for protection in anti-discrimination. It encouraged Greece to extend this protection to fields of education, healthcare and access to goods and services. It underlined that sexual orientation and gender identity were separate concepts and recommended Greece include gender identity and expression explicitly in its legislation. It urged Greece to consider using the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity. It commended Greece for considering the recognition of same-sex couples and asked about the time-frame to effectuating this recommendation.

415. The International Commission of Jurists highlighted the crisis faced by the Greek asylum system, though this could not justify delays and noted Greece's commitments to address these violations, including through its National Action Plan for Asylum Reform and Migration Management and notably with asylum procedure legislation adopted in 2011. It urged Greece to take prompt action to: review detention conditions for asylum seekers, ensure adherence to the principle of non-refoulement and that deportation is carried out only after exhaustion of legal remedies; ensure conditions of detention comply with international human rights standards; strengthen protection for the human rights of unaccompanied minor asylum-seekers. It urged Greece to positively respond to the recommendation to accede to ICRMW.

416. Human Rights Watch shared the concern expressed during Greece's UPR about its efforts to reform asylum and migration management and expressed concern at detention conditions and the situation of unaccompanied migrant children. It welcomed that Greece accepted all related recommendations and urged it to take the necessary steps for their implementation. It noted that Greece continued to argue that instances of police misconduct were isolated cases and expressed concern over the limited mandate of the Ministry of Citizen Protection. It urged Greece to comply with the relevant recommendations and create a complaints mechanism in conformity with international standards. It noted that Greece's acceptance of recommendations to take steps to prevent attacks against migrants should lead to concrete measures. It noted that racist and xenophobic violence was a serious problem in Greece, highlighting events in Athens in 2011.

417. Amnesty International welcomed Greece's commitment to ratify OPCAT and called on the Government to establish a mechanism to periodically review places of deprivation of liberty in order to prevent torture and ill-treatment. It welcomed Greece's support of recommendations to establish an asylum system with international and regional standards and urged Greece to ensure its early and effective establishment. It noted a rise in racially-motivated crimes against third-country nationals in Greece, including refugees and asylum-seekers and called on it to act on accepted recommendations to combat racism, racial discrimination and xenophobia. It expressed deep concern at the treatment of unaccompanied minors and welcomed UPR's focus on the issue. It highlighted the need to abolish in legislation and practice, the detention of unaccompanied asylum-seeking or migrant children. It expressed concern over Greece's failure to ensure that police respect and protect human rights. It encouraged Greece to establish an independent and effective police complaints mechanism. It welcomed Greece's support to a recommendation on recognition of same-sex couples.

418. Conscience and Peace Tax International regretted that in Greece's report there was no mention of conscientious objection to military service, despite three stakeholders' submissions on the subject. It noted that in 1997, Greece was the last of the members of the European Community to introduce legislation for conscientious objectors to military service. Several provisions still fall short of regional and international norms and

highlighted, inter alia, that information about applying for recognition as a conscientious objector was not readily available and the application procedure was rigid and complicated. It noted that the alternative civilian service available was of disproportionate duration and some other conditions were punitive. It encouraged states, moving to UPR's second cycle, to ensure covering as full a range as possible of the human rights issued identified for a State.

4. Concluding remarks of the State under review

419. The delegation of Greece stated that they took note of all comments and additional recommendations. With regard of comments made by ILGA, Greece stated that complaints on sexual discrimination can be addressed to the Ombudsman. On comments made by Conscience and Peace Tax International, Greece noted that the Government has reduced the duration of the civil service for conscientious objectors and that the majority of the members of the Special Committee deciding on conscientious objection matters are not in the Army. Greece reiterated that, despite the severe economic crisis, it will continue working on the improvement of its human rights situation and cooperating with the Human Rights Council.

Samoa

420. The review of Samoa was held on 9 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Samoa in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/WSM/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/WSM/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/WSM/3).

421. At its 22nd meeting, on 22 September 2011, the Council considered and adopted the outcome of the review of Samoa (see section C below).

422. The outcome of the review of Samoa comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/14), the views of Samoa concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/18/14/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

423. Pursuant to Samoa's request and on its behalf, the President of the Human Rights Council stated that, as previously announced, Samoa was not in a position to send a delegation to Geneva on time for the session of the Human Rights Council. Samoa had submitted an addendum to the Working Group report which was circulated to the Council in accordance with the usual procedure. The addendum provided additional information and, where applicable, clarification of Samoa's position taken on all 43 recommendations which required further consideration after the review of 9 May 2011. It also conveyed the commitment of the Government of Samoa to the promotion of human rights as well as its efforts to overcome challenges inter alia through co-operation with international and regional organizations active in the area of human rights.

424. In addition Samoa, in response to a note verbale from the secretariat, had submitted a table indicating, for each and every recommendation, its position. Out of these 43 recommendations, the Government of Samoa accepted 34 and noted 9.

2. Views expressed by Member and observer States of the Council on the review outcome

425. Algeria acknowledged the efforts made by Samoa to make progress towards the realization of human rights in spite of the objective constraints that it faced such as the fragile ecosystem, the adverse effects of climate change and natural disasters. Algeria had been encouraged to note that a majority of recommendations were accepted by Samoa, including those put forward by Algeria. Algeria's recommendations were related to accession to international human rights instruments, protecting human rights of persons with disabilities, economic, social and cultural rights, fighting all forms of racial discrimination, fighting social problems, in particular domestic violence and juvenile delinquency. Algeria hoped that with adequate technical and financial assistance, the Government of Samoa would soon be in a position to complete the establishment of a national human rights institution. The contribution of that institution would certainly reinforce the Government actions to promote and protect human rights.

426. Cuba recalled that Samoa's review was an opportunity to understand the challenges faced by this country, including financial constraints, climate change and climate phenomena such as hurricanes. The review also showed the programs undertaken by the Government to promote and protect human rights. For instance, community plans, awareness programs on health, water, sanitation, sexual and reproductive health, were mentioned. Cuba commended the Government of Samoa for accepting many of the recommendations received during the Working Group, including those put forward by Cuba. These included calls for the maintenance of strategies and plans of socioeconomic development, and of measures to guarantee universal health and education services.

427. Morocco congratulated the Samoan Government for the spirit of openness that it showed throughout its UPR. Morocco noted with satisfaction the significant number of recommendations accepted by Samoa which reflected its commitment to the promotion and protection of human rights. Morocco acknowledged that four of its recommendations were accepted by Samoa, related to the Convention on the Rights of Persons with Disabilities, the establishment of a national human rights institution, the guarantee of free and mandatory primary education and the signing of the two Optional Protocols to the Convention on the Rights of the Child. Morocco took note with interest of the efforts by the Government to improve the human rights situation in Samoa in spite of the difficulties that the country had to face relating to climate change and natural disasters. Therefore, Morocco called for the solidarity and cooperation of the international community with Samoa to enable it to implement the recommendations it accepted.

428. New Zealand noted with satisfaction the acceptance of all recommendations but five by Samoa. It was also pleased to learn that Samoa started the process of drafting legislation to establish a national human rights institution and initiated the enhancement of family safety and support to victims of domestic violence. New Zealand noted the implementation of prison reforms which included the establishment of a prison authority separate from the Police. It also welcomed the policies to combat the problems of access to education and child street vendors and to ensure that school-age children are fully engaged in compulsory education.

3. General comments made by other relevant stakeholders

429. Canadian HIV/AIDS Legal Network welcomed the support of Samoa to the joint statement on ending acts of violence, criminal sanctions and related human rights violations based on sexual orientation and gender identity delivered in March 2011 to the Human Rights Council. However, it regretted that Samoa, in spite of such support, rejected the recommendations to repeal laws that criminalize sexual activity between consenting adults. Therefore, Canadian HIV/AIDS Legal Network urged Samoa to reconsider its position to those recommendations and bring its legislation into conformity with its international commitments to equality and non-discrimination by repealing provisions which might be applied to criminalize sexual activity between consenting adults. It also urged Samoa to take steps to protect all persons from discrimination on all grounds,

including sexual orientation and gender identity and apply the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity as a guide to assist in policy making.

430. Nuanua O Le Alofa welcomed the commitment of Samoa to review the policies and legislation to ensure their consistency with the rights of persons with disabilities and the acceptance by the Government of a number of recommendations to improve the rights of the persons with disabilities. It also noted with satisfaction the Government's endorsement to establish the National Disability Task Force Committee and adopt the National Disability Policy. However, Nuanua O Le Alofa regretted that the Government rejected a recommendation to combat discrimination against persons with disabilities by introducing legal reforms. Additionally, it urged Samoa to: complete its inclusive education policy and strategy by 2012; train teachers to work with children with disabilities and request for international assistance to be targeted to the implementation of the rights of persons with disability.

4. Concluding remarks of the State under review

431. The President of the Human Rights Council expressed its appreciation for the efforts of the Samoan authorities to present their position on recommendations in writing and regretted that they were unable to attend the session.

432. The summary of all statements delivered would be included in the Human Rights Council report and be drawn to the attention of the Samoan authorities.

Sudan and South Sudan

433. The review of Sudan and South Sudan was held on 10 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by the Sudan and South Sudan in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SDN/1 and A/HRC/WG.6/11/SDN/1/Corr. 1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SDN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SDN/3 and A/HRC/WG.6/11/SDN/3/Corr.1).

434. At its 23rd meeting, on 23 September 2011, the Council considered and adopted the outcome of the review of the Sudan and South Sudan (see section C below).

435. The outcome of the review of the Sudan and South Sudan comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/16), the views of the Sudan and South Sudan concerning the recommendations and/or conclusions, as well as their voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/18/16/Add.1 and A/HRC/18/16/Add.1/Corr.1).

1. Views expressed by the Sudan on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

436. The delegation of the Sudan expressed its appreciation to all States that provided constructive recommendations during the interactive dialogue in an objective spirit, reflecting their commitment to promote and protect human rights in the Sudan.

437. The Sudan reminded that, at the moment of the review, the Sudan was one State with two systems in the North and South, which required that two reports to be submitted. Moreover, there were three types of recommendations addressed to the Government of Sudan; to Sudan and South Sudan; and to the Government of South Sudan.

438. The delegation informed that by declaring the results of the self-determination referendum on South Sudan on 9 July 2011, South Sudan became an independent state, and therefore it was incumbent on the Government of Sudan to be liable only to those recommendations addressed to the Government of Sudan, as well as to express its views on the recommendations directed to Sudan and South Sudan.

439. The Sudan had accepted 121 out of 160 recommendations and partially accepted 12 other recommendations. The delegation stated that this represented almost 84 per cent of all recommendations. Regarding the 29 recommendations put forward to Sudan and South Sudan, the Government had accepted 25 of them and partially accepted another one (almost 93 per cent). The delegation not only expressed its commitment for the full implementation of these recommendations but pointed out that many of them were already being implemented or in the process of implementation.

440. As an example, it was mentioned that in the field of constitutional and legal reforms, the legislation considered the human rights conventions of which the Sudan was a party as an integral part of the Constitution. The Sudan had conducted a comprehensive review of a large number of laws to bring them in consistency with the Constitution, human rights conventions and international humanitarian law. Notably a full chapter on war crimes and crimes against humanity and genocide had been added to the Criminal Act of 1991; the detention period had been reduced in the Law of National Intelligence and Security Services of 2009; a judicial oversight had been established; and a General Prosecutor had been appointed to specially follow-up the guarantees of the human rights of detainees.

441. The delegation highlighted new laws that were enacted such as the Child Act of 2010 raising the age of criminal responsibility to 12 instead of 7 years, preventing corporal punishment on child offenders and preventing more strictly the imposition of the death penalty on persons under eighteen. The Sudan had also passed a new law for the Armed Forces, in 2007, which included a number of principles contained in international humanitarian law providing special protection for civilians, including women and children and establishing individual responsibility in war crimes and crimes against humanity cases. Consultations to approve a permanent constitution had begun involving all the political spectrum, academics and jurists representing all segments of society.

442. The delegation referred to the signing of the Doha Document for peace in Darfur. It mentioned that the implementation of this agreement begun with a cease-fire and the return of the signatories to Sudan and the formation of joint committees for its enforcement. According to a statement of the Joint Special Representative of UNAMID, the security and humanitarian situation in Darfur in the past three years had led to the return of more than one million displaced people to their towns and villages. Efforts for justice in Darfur did not stop at the negotiations and the signing of agreements. An office of the Special Prosecutor for Darfur had been established in order to bring to justice those accused of crimes since the outbreak of the conflict. The Sudanese Government was making strenuous efforts to push institute tribal reconciliation, which had a significant role in sustaining peace and stability in the region.

443. Sudan informed that it took a number of national measures to protect women, particularly in conflict zones, and approved a national plan of action to combat violence against women and created a central Unit for Combating Violence against Women with sub-committees at the states level including Darfur.

444. Sudan clarified that the recommendations that had not been accepted related to topics that did not fall under Sudan's human rights treaty obligations. Sudan accepted other recommendations based on inaccurate assumptions following some corrections, but it was difficult to follow this approach in all cases.

445. Sudan had already started to implement a number of recommendations in cooperation with national and international partners, and urged the Human Rights Council to support Sudan on this endeavour.

446. The delegation concluded by reiterating the willingness of its Government to cooperate fully with the Council.

2. Views expressed by South Sudan on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

447. The delegation of South Sudan welcomed the work of the independent expert, his report and the call upon the parties to the comprehensive Peace Agreement to resolve their differences over the remaining issues through negotiations and dialogue.

448. As a new country in the international system, the delegation reiterated the commitment of the Government of South Sudan to promote and protect human rights and its willingness to cooperate with the Council. Moreover, the Administration was embarked on setting the bases of the rule of law, by putting in place strategies to transform the law enforcement agencies to be more professional and respect human rights.

449. In this direction, the delegation called for technical support and capacity building in the field of human rights education, promotion and in the setting of mechanisms of protection of human rights and fundamental freedoms.

450. After the signing of the Comprehensive Peace Agreement, an autonomous Government was formed in South Sudan. Since then, it had started building up its administration and institutions of governance. Among them, the South Sudan Human Rights Commission was empowered by a constitutional mandate to promote and protect human rights and fundamental freedoms; systematically monitor the human rights situation across the country; and identify and investigate human rights violations. The Commission was actively making its presence felt and known to the Government and the general public. It had also started establishing itself across the territory of South Sudan.

451. Concerning issues raised in the report on the violation of human rights in South Sudan including inter-communal violence; the fighting between the SPLA and the rebel groups; and the abuses perpetrated by the security forces or South Sudan, the delegation made the following observations:

452. The government was not involved in any incident of human rights violations related to all the cases mentioned in the report.

453. The main causes of the inter-communal violence in some parts of the country were poverty, cattle rustling and the spread of weapons as a result of the long civil war. To address this problem, the Government had started to disarm the communities and organize peace meetings among them. The Government was also encouraging citizens to peacefully coexist.

454. The security forces, as an institution, did not violate human rights. The national army, the SPLA and police services were well known for their respect of human rights because the prisoners of war whom were captured during the battles of liberation struggle were handed over to the opponents after the signing of the Comprehensive Peace Agreement, something that was rare in civil wars.

455. The individuals of the security forces that had committed crimes violating human rights on their own personal capacity were being investigated and promptly brought to justice.

456. To bring an end to the wars being waged by the rebel groups against the SPLA -which was fighting in self-defence- the Government had declared general amnesty in the country, and the President had called upon all the rebel leaders to put down their arms and accept the dialogue with the Government to find a solution to the differences. Some of the rebel groups had accepted the offer and negotiations were on-going to integrate them in the Government.

457. The Government of the Republic of South Sudan had devised strategies to foster peace and security in the country as a means to enhance development and alleviate the poverty affecting South Sudanese people. The Government had also devised ways to foster culture, pluralism and tolerance. It had also moved towards a more inclusive participatory,

democratic, transparent and accountable Government that respects and protects the fundamental rights of people.

458. Despite not yet having acceded to the key international human rights treaties and conventions, South Sudan had articulated in its Constitution provisions of the Convention on the Elimination of all Forms of Discrimination against Women, the Convention against Torture and the entire Bill of Rights. These provisions had been part of the commitment of the leadership of South Sudan towards the promotion, protection and respect for human rights and fundamental freedoms.

459. As the Republic of South Sudan was only two months old, the justice system and legal protection mechanism were still crawling and needed to be strengthened.

460. The Government was striving to enact domestic laws as part of its constitutional efforts to avail access to justice to the South Sudanese people.

461. The delegation concluded by bringing to the attention of the Council the abuse of human rights committed by the lord's Resistance Army (LRA) in South Sudan. The LRA had killed, abducted, rearmed, raped and tortured the people of Western Equatoria and Western Bahar Elghazel, states in South Sudan.

462. There were 200,000 people displaced in these two states and over 120,000 refugees had crossed in South Sudan from neighbouring countries. The Council and the international community should consider taking up seriously the issues of the LRA to bring this situation to an end.

3. Views expressed by Member and observer States of the Council on the review outcome

463. Algeria underlined the intention of the Sudanese government to constructive dialogue with the international community, through its participation in the UPR and cooperation with other human rights mechanisms. Algeria expressed its support for converting the mandate of the independent expert into a technical cooperation program under item 10 of the agenda. It recognized Sudan for accepting Algeria's recommendations regarding children education and school systems; human rights training and programs to advance the status of women. Algeria welcomed the position of Sudan concerning the referendum for the South. It encouraged Sudan to continue its efforts in Darfur and to extend the rule of law to the entire country. Algeria requested the international community to provide for assistance to Sudan.

464. Cuba recognized the challenges faced by Sudan, aggravated by the world's economic crisis, international spoliation and conflicts. Poverty, illiteracy and the limited capacity of institutions were problems in which the Government was focused to solve. Sudan had registered progress in education for all and had established a national strategy towards 2031. On health issues, Sudan was fighting endemic diseases and improving reproductive health and family planning. It welcomed the acceptance of many recommendations including those put forward by Cuba.

465. The United States of America was troubled by on-going reports of human rights abuses, as well as restrictions on humanitarian access and assistance in Southern Kordofan and the Blue Nile and urged Sudan to fully cooperate with the Independent Expert. It commended Sudan's 2010 passage of the National Child Act and requested the Government to take greater measures to prevent and prosecute acts of sexual violence and unlawful recruitment of children for use in the armed conflict. It also urged Sudan to decriminalize the so-called "indecent and immoral" acts. It asked South Sudan to hold accountable perpetrators of ethnic and communal violence, and to enshrine human rights in the country's new constitution.

466. Egypt appreciated the information on the steps taken by Sudan to implement the results of its UPR. In the context of the political developments of the past years witnessed by Sudan, particularly last year's referendum, Egypt welcomed the signing of the Doha document for Peace and commended Sudan's keenness for supporting stability and justice in Darfur.

Egypt acknowledged the acceptance of the majority of recommendations received by Sudan and reiterated its confidence that its Government was able to implement them. Egypt recognized the immense difficulties in this regard and called for concerted efforts to step up technical assistance and support to both Sudan and South Sudan.

467. Mauritania welcomed the delegations of Sudan and South Sudan and appreciated the professional way in which the national report was prepared. It highlighted the positive engagement of Sudan with the UPR mechanism considering the difficult circumstances through which Sudan had been going through. Sudan had been able to overcome difficulties cooperating with the Independent Expert to put an end to tribal conflicts in certain areas. This reflected the commitment of Sudan to improve its human rights record. Among recent developments, it mentioned the referendum for the self-determination of South Sudan and the recognition by Sudan of the independence of the South. It reiterated a call for the Council to deal with Sudan's human rights situation in an objective and positive manner since Sudan had always cooperated with the Council and its mechanisms.

468. Sri Lanka welcomed Sudan's positive consideration of a number of recommendations, notably in the area of the education and cultural life. It also welcomed Sudan's acceptance of recommendations in relation to social security and to adequate standards of living. Sri Lanka expressed the hope that Sudan's commitment to the UPR process and it positive approach to its recommendations will help the country on its way to further development and stability.

469. Saudi Arabia highlighted Sudan's positive interaction with the UPR and the fact that it accepted most of the recommendations including the Saudi Arabian. It stated that Sudan cooperated with all UN human rights mechanisms, respected its commitments and declared its readiness to cooperate with the international community. This clearly showed that Sudan considered human rights important and was concerned with implementing them through legislative and institutional initiatives. It called upon the Sudanese government to work further to better ensure security and development in all provinces of the country.

470. Nigeria recognized the willingness of Sudan to cooperate with the Council. It urged Sudan to continue to take measures that would enhance peace, security and democracy, particularly in relation to Abyei, Southern Korodofan, Blue Nile and Darfur. It called for the urgent establishment of a national human rights commission, for which enabling legislation already existed. Nigeria recognised the commitment of South Sudan to the promotion and protection of human rights and commended the government for creating a Human Rights Commission. It encouraged South Sudan to work out agreeable terms for peace and security.

471. The United Arab Emirates appreciated the progress achieved by Sudan in the implementation of the UPR recommendations and voluntary commitments. It commended the constructive attitude adopted by Sudan during the review. It was confident that Sudan was advancing resolutely on the path of good governance and laying the foundation of rule of law. Hence it deserved every encouragement and appreciation in this regard. UAE hoped that the HRC and OHCHR would take into consideration and provide all the necessary assistance for the protection of human rights as well as technical assistance programs in order to enable Sudan to implement all recommendations and commitments undertaken, despite difficulties.

472. Qatar noted the spirit of cooperation and openness shown by Sudan and its engagement with the Council and its mechanism. On September 16th, Sudan further reiterated its commitment to cooperate with the Council and approved the majority of the recommendations it received during the review, including those put forward by Qatar. The Government showed great interest in these recommendations as they have been incorporated in a comprehensive national human rights plan. Qatar had great interest in the security and stability of Sudan; therefore it had sponsored the negotiations of Sudan and the armed movements of Darfur, which lead to the signing of Darfur peace agreement, on July 2011. Qatar called on the Council and the international community to support

Sudan's efforts, building on the steps that had been already taken and in accordance with the vision and national priorities of the Sudanese people.

4. General comments made by other relevant stakeholders

473. The Comité international pour le Respect et l'Application de la Charte africaine des Droits de l'Homme et des Peuples (CIRAC) recalled that Sudan was committed to promote peace and reconciliation through notably the signature of Abuja and Doha Agreements. The holding of free elections in 2010 and of the self-determination referendum confirmed this commitment. However, challenges in the area of human rights remained, notably in South-Kordofan, Abyei and Darfur. CIRAC stated that the international community should support the various on-going human rights related reforms. It added that the independence of South Soudan was a major improvement but should not further jeopardy peace in the Great Lakes region. It called upon the international community and the Human Rights Council to provide assistance to Sudan and South Sudan.

474. Eastern Sudan Women Development Organization (ESWDO) stated that it worked in all parts of Sudan and that they would work towards the reunification of Sudan based on justice and equality, despite the referendum leading to the secession of South Sudan. ESWDO did not want to see new secessions and valued the Doha Agreement, which they considered as a right step to bring peace and stability in Darfur. ESWDO called upon the international community to bring pressure on armed groups to abide by the Doha Agreement and to provide financial and technical assistance to Darfur towards peace and stability.

475. Child Development Foundation along with International Peace and Development Organization (CCD/IPDO) stated that women leaders were present at all political and economic levels, such as the Parliament and the Judiciary. On the initiative of the civil society, legislation was enacted in Sudan providing women with all rights included in the international instruments ratified by Sudan. Civil society participated in the drafting of the 2010 Child Act. CCD/IPDO said that the work of civil society in the fields of children and women rights needed technical and financial support.

476. Sudan Council of Voluntary Agencies (SCOVA) commended Sudan for the improvement of the freedom of the press as reflected in the number of political parties and independent newspapers. The National Council of the Press had however wide powers and SCOVA called for ordinary trials for journalists. While supporting the Child Act and the establishment of child courts and of the National Council for Children, SCOVA called on Sudan to raise awareness on children's rights and to support non-governmental organisations dealing with such rights. SCOVA commended efforts undertaken within the UPR process but underlined the need to enforce the implementation of recommendations and to support NGOs.

477. Cairo Institute for Human Rights Studies (CIHRS) stated that the humanitarian crisis in Sudan continued and escalated. Barely a week after its UPR, on May 21st, the Government led a military campaign on Abyei. The Armed Forces bombed four villages, indiscriminately shooting at civilians, displacing the entire population of the town, estimated at 60,000 people. CIHRS noted that in Sudan's presentation to the review it declared the completion of consultations in South Kordofan and Blue Nile, claiming that these provinces now enjoyed security, stability and development. Yet, a report issued by the OHCHR and UNMIS covering the period 5-30 June 2011, stated that the violations committed in South Kordofan in June alone could amount to crimes against humanity or war crimes. CIHRS stated that the Government had failed again to respect ceasefire agreements, and there were allegations of torture and rape in prisons and detention facilities. Freedom of expression was severely restricted. The independence of the judiciary was deeply compromised. The Government had largely ignored its UPR recommendations.

478. Society Studies Centre (SSC) stated that while commendable achievements had been made in the human rights situation in Sudan, violations continued to occur from time to time. It

called for the review of laws such as the Press and Publications Law, and the passing of new law that could permit access to information. SSC appealed to the international community to assist Sudan and civil society organisations to improve the human rights situation.

479. CIVICUS, the Arab NGO Network for Development, the Sudanese National Civic Forum, the Human Rights and Legal Aids Network in Sudan, the Sudanese Gender Research Centre, the Child's Centre in Sudan, and the Sudanese Development Initiative were pleased that some recommendations had been accepted and called on Sudan and South Sudan to implement them. The tension between Sudan and South Sudan had been a major factor in the deterioration of political as well as economic and social conditions, which even after separation, continued to expose major sections of the population to insecurity and violation of their rights. These organisations urged Sudan and South Sudan to adopt a number of identified measures in pursuance of economic and social rights for its citizens.

480. The International Federation for Human Rights (FIDH) and its partner organisation in Sudan, the African Centre for Justice and Peace Studies, stated that violations of human rights by state actors were a daily reality. Although the Southern separation proceeded peacefully, the process had unleashed volatility and violence in the three border areas traditionally contested by the north and the south. Fighting had broken out in Abyei, South Kordofan and Blue Nile, resulting in massive human rights killings. Agreements on Abyei and South Kordofan had been signed but they had been denounced by President Al.Bashir. Also, violence and insecurity persisted in Darfur.

481. Maarij Foundation for Peace and Development stated that in 2007 there was a scandal which gave rise to broad condemnation from organisations which realised that a French NGO abducted children from Darfur for adoption by French families. The suspects were given a sham trial and were sent back to France. The children had not been able to recover their rights of which they were deprived. The UPR was the last opportunity to remedy the wrongs inflicted on these children.

5. Concluding remarks by the Sudan

482. The delegation indicated that Sudan would continue to place human rights in the center of all policies and legislation to be adopted. It was aware that the path would be arduous but the Government did not lack will or determination to do what was best for the country. Sudan would continue to cooperate with the Council and with the international community in order to implement the recommendations it had accepted during the first cycle. Sudan would do its best to submit a periodic report on the implementation of the recommendations, with achievements and constraints. The delegation hoped that Sudan would receive the assistance that would enable the Government to achieve these goals.

6. Concluding remarks by South Sudan

483. The delegation of South Sudan stated that it was in agreement with all recommendations it received and looked forward to work with the Council.

Hungary

484. The review of Hungary was held on 11 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Hungary in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/HUN/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/HUN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/HUN/3).

485. At its 24th meeting, on 23 September 2011, the Council considered and adopted the outcome of the review of Hungary (see section C below).

486. The outcome of the review of Hungary comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/17), the views of Hungary concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/18/17/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

487. The delegation of Hungary reiterated the Government's commitment to the promotion and protection of human rights in its domestic and foreign policies and in particular, to the universal periodic review as a mechanism with a potential to make a difference on the ground, if recommendations were implemented. Furthermore, while referring to a number of meetings held with NGOs on several pertinent issues, the delegation acknowledged the contribution of the review process in the improvement of the Government's cooperation with civil society.

488. The delegation recapped that Hungary received 148 recommendations put forward during the working group. As a result of intensive consultations on the 29 pending recommendations which were left for further consideration after the working group held in May, Hungary accepted 122 out of the 148 recommendations. The delegation underlined that several recommendations did not receive the support of Hungary exclusively due to the fact that the suggested course of actions in those recommendations had already been completed and thus, there was no need for further consideration or actions.

489. The delegation provided explanation regarding to its position to 29 recommendations pending for its decision since the working group as well as referred to the addendum to the report of the working group for further information.

490. The delegation informed that the Parliamentary Commissioner for Civil Rights (Ombudsman) was accredited by the International Coordination Committee of the National Human Rights Institutions in 2011. It indicated that the ratification of the Optional Protocol to the CAT and the International Convention for the Protection of all Persons from Enforced Disappearance was in the process. Additionally, the government deemed it possible the harmonisation of the definition of torture with the CAT in the process of drafting of a new Criminal Code which had already kicked off.

491. The delegation indicated the readiness of the Government to examine the accession to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. However, as the process would take up a longer period, the Government was not in a position to guarantee that the accession process would be completed by the next universal periodic review of Hungary. Regarding to the ratification of the International Convention on the Rights of Migrant Workers and Members of Their Families, the delegation explained that the EU member states, including Hungary, did not join the convention since its several provisions were governed by the EU regulations. According to the delegation, the Hungarian legislative framework and practice regarding migration and refugees was fully in line with its international and regional obligations.

492. Hungary supported the efforts of Hungarians living abroad to preserve their cultural identity in line with international human rights standards and acted in line with the Bolzano Recommendations when supporting the Hungarian minorities living under the jurisdiction of another state. Regarding the Slovenian minority, Hungary expressed its commitment to implement the recommendations of the Slovenian-Hungarian Commission to the maximum extent possible with the view that the full implementation would depend on the budgetary allocations.

493. With the view of the existing national human rights strategies in a number of areas, the adoption of a general human rights plan or program was considered having no added value.

494. The delegation stated that in view of the Government, the new laws on media were in conformity with its international human rights obligations. At the same time, Hungary remained ready for dialogue if there were specific questions and observations related to the provisions of those laws, as well as their implementation. Furthermore, the delegation informed that the annual public report of the Media Council would contain, among others, information on its regulatory activities.

495. The Hungarian legislation fully covered and prosecuted all acts falling under the scope of domestic violence. Additionally, spousal rape had been punishable since 1997. With the view of this legal basis, the Government planned to introduce new measures to address further the cases of domestic violence and marital rape. The delegation also explained that as the Act on Equal Treatment and the Promotion of Equal Opportunities provided women with protection against discrimination and guarantees for equal treatment, the adoption of a comprehensive law on gender equality and of a separate law on combating gender violence was not deemed essential.

496. The delegation stated that the recommendation on elevation of the status of the national machinery for the advancement of women had already been implemented as the status and the staff of the Equal Treatment Authority had been already strengthened.

497. Although the incompatibility of capital punishment with the Hungarian legal system was not explicitly enshrined at the constitutional level, several legal norms were in place to ensure that the practice of death penalty was prohibited.

498. The statutory regulation ensured freedom of choice in terms of abortion. At the same time, the Government was committed to provide women with the opportunity of offering the newborns for adoption as an alternative to abortion.

499. The Constitution prohibited discrimination based on various grounds, which was not meant to be exhaustive listing and thus, some categories that were not explicitly listed were also covered, including discrimination based on sexual orientation as stipulated by the consistent jurisprudence of the Constitutional Court and the Act on Equal Treatment and Promotion of Equal Opportunities.

500. The delegation mentioned that the Government considered other measures besides the financial support to fight poverty such as programs for the amelioration of the situation of children and families with children, scholarship programs to support students with multiple disadvantages, the development of the child-healthcare system, or reducing unemployment.

501. Hungary had been making every effort to gradually increase its ODA contribution despite austerity measures adopted since 2006. The government in the close cooperation with the UN Office for the Coordination of Humanitarian Affairs planned to organise the European Humanitarian Partnership Forum in October 2011 to address the current challenges facing the humanitarian and development actors.

502. In its statement, the delegation also provided updates regarding recent developments in human rights since the working group held in May 2011. It informed that the Budapest Human Rights Forum which was welcomed by many delegations was planned to take place in October 2011. The Foundation for the International Prevention of Genocide and Mass Atrocities, the establishment of which was commended by many delegations, was registered in 2011 and declared as one of its main objectives to narrow the gap between early warning and early action and facilitate the cooperation among the stakeholders committed to the prevention of genocide and mass atrocities. The Foundation had decided to give priority to the Great Lakes Region in its activities.

2. Views expressed by Member and observer States of the Council on the review outcome

503. Algeria thanked Hungary for the clear responses provided on the 29 pending recommendations. It noted the acceptance by Hungary a vast number of recommendations that demonstrated the commitment of Hungary to further promote human rights. Algeria was encouraged by the acceptance of two recommendations regarding the existing mechanisms for the promotion and protection of human rights and the establishment of a national human rights institution. Algeria expressed its hope that Hungary would reconsider its position regarding the recommendation to ratify the International Convention on the Rights of Migrant Workers and Members of Their Families to adhere to the Convention.

504. The United States of America appreciated Hungary's support for the recommendation regarding hate groups and looked forward to the development and implementation of the Roma Program. It welcomed the establishment of the Foundation for the International Prevention of Genocide and Mass Atrocities and hoped that Hungary would combat anti-Semitism. The United States of America commended Hungary's establishment of a national coordination mechanism to combat trafficking and its cooperation with Switzerland, Italy and Romania on that issue. It also commended Hungary's commitment to strengthen measures for the rehabilitation of victims of trafficking. United States of America remained concerned about amendments to Hungary's Constitution as well as the passage of laws on the media and religion and those regarding judicial independence.

505. Slovakia welcomed Hungary's expressed commitment to addressing human rights issues. However, Slovakia remained concerned about the recent steps taken by Hungary in granting citizenship to persons living in neighbouring countries without a genuine link between the person concerned. Slovakia was of the opinion that such action was not in line with the principles of international law and the Bolzano Recommendations. It expressed its belief that the Slovak minority in Hungary and the Hungarian minority in Slovakia represented a bridge between the two countries.

506. Republic of Moldova commended Hungary for maintaining good cooperation in the promotion and protection of human rights with civil-society, private sector and the UN human rights mechanisms as well as for its commitment to continue the dialogue with civil society and the national human rights institutions in the follow-up to the review. It also commended Hungary for the standing invitation to special procedures, the adoption of the National Strategy for the Promotion of Gender Equality and the progress made in combating trafficking in human beings. Republic of Moldova acknowledged the acceptance of a significant number of recommendations and it appreciated the acceptance of all its recommendations. Republic of Moldova welcomed the measures taken by Hungary to promote gender equality and prevent trafficking in women and girls for sexual exploitation.

507. Morocco noted with satisfaction the acceptance by Hungary the majority of the recommendations put forward in the working group, including its two recommendations to remedy a low participation of women in political life and to promote the rights of minorities and vulnerable groups. It welcomed the efforts of Hungary to fight against discrimination, xenophobia, racism, and intolerance as well as the initiatives that the Government had taken to integrate migrants into society, to protect their identity and to allow them to maintain links with their country of origin. Morocco reiterated its support to various efforts of the Government and wished the best in the implementation of the recommendations.

3. General comments made by other relevant stakeholders

508. European Region of the International Lesbian and Gay Federation appreciated the acceptance of various recommendations by Hungary related to the protection of the rights of lesbian, gay, bisexual and transgender (LGBT) people and asked about the timeframe envisaged for the implementation of those recommendations. It stated that discriminatory laws especially in the field of family law were still in place and that prejudice; discrimination and even violence on the basis of sexual orientation and gender identity were widespread. Hungary had no specific programmes on promoting equal opportunities

for LGBT people and there was a lack of dialogue with non-governmental organizations working on LGBT issues. It called on Hungary to take specific actions to address these issues and to consider using the Yogyakarta Principles as a tool in policy development.

509. Amnesty International welcomed Hungary's support for a number of important recommendations. Regarding the issue of hate crimes, Amnesty International emphasized that cases documented by non-governmental organizations illustrated that officials often failed to recognize racist, anti-Semitic or homophobic motivation in crimes and failed to apply the relevant legislation. Amnesty International referred to reports that Roma residents in the village of Gyongyospata had been racially abused by far right vigilante groups in military outfits. Amnesty International welcomed Hungary's support of recommendations to strengthen hate crime legislation and its implementation and to undertake public awareness campaigns involving law enforcement officials. It urged Hungary to ensure that such crimes were fully and effectively investigated and those responsible prosecuted under laws providing for sanctions which reflect the gravity of the human rights violations.

4. Concluding remarks of the State under review

510. In its concluding remarks, the delegation provided answers to several questions. The adoption of the new Constitution in April 2011 was preceded by a broad national consultation process with civil society and opposition parties. The recently adopted legislation on freedom of religion and conscience was in line with international human rights law and the religious communities that were not registered as a church by the new law were entitled to the right to manifest their religion, including conducting religious ceremonies and other services and to receive state subsidies for their functioning. After events of March 2011, the Civil Code was improved to prohibit demonstrations by paramilitary organisations that threaten public safety. Participation of elections of the Hungarian citizens living abroad was in line with international standards and the guidelines of the Venice Commission of the Council of Europe.

511. As to the follow-up to the review, the delegation informed that the Government held the meeting with the representatives of the civil society on the modalities of the implementations of the recommendations put forward during the review. It also informed about Hungary's intention to submit mid- term report to recap the implementation of the accepted recommendations.

B. General debate on agenda item 6

512. At its 25th meeting, on 23 September 2011, the Council held a general debate on agenda item 6, during which the following made statements:

(a) Representatives of States Members of the Council: Austria, China, Cuba, Poland (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, the Republic of Moldova, Serbia, The former Yugoslav Republic of Macedonia, Turkey and Ukraine), Republic of Moldova, Romania and Spain;

(b) Representative of an observer State: Republic of Korea;

(c) Observer for a national human rights institution: Human Rights Commission of Malaysia;

(c) Observers for the following non-governmental organizations: Amnesty International and Indian Movement Tupaj Amaru .

C. Consideration and action on draft proposals

Belgium

513. At the 18th meeting, on 21 September 2011, the Council adopted draft decision 18/101 without a vote (for the text as adopted, see part one, chapter II).

Denmark

514. At the 18th meeting, on 21 September 2011 the Council adopted draft decision 18/102 without a vote (for the text as adopted, see part one, chapter II).

Palau

515. At the 18th meeting, on 21 September 2011, the Council adopted draft decision 18/103 without a vote (for the text as adopted, see part one, chapter II).

Somalia

516. At the 20th meeting, on 21 September 2011, the Council adopted draft decision 18/104 without a vote (for the text as adopted, see part one, chapter II).

Seychelles

517. At the 20th meeting, on 21 September, the Council adopted draft decision 18/105 without a vote (for the text as adopted, see part one, chapter II).

Solomon Islands

518. At the 20th meeting, on 21 September 2011, the Council adopted draft decision 18/106 without a vote (for the text as adopted, see part one, chapter II).

Latvia

519. At the 21st meeting, on 22 September 2011, the Council adopted draft decision 18/107 without a vote (for the text as adopted, see part one, chapter II).

Sierra Leone

520. At the 21st meeting, on 22 September 2011, the Council adopted draft decision 18/108 without a vote (for the text as adopted, see part one, chapter II).

Singapore

521. At the 21st meeting, on 22 September 2011, the Council adopted draft decision 18/109 without a vote (for the text as adopted, see part one, chapter II).

Suriname

522. At the 22nd meeting, on 22 September 2011, the Council adopted draft decision 18/110 without a vote (for the text as adopted, see part one, chapter II).

Greece

523. At the 22nd meeting, on 22 September 2011, the Council adopted draft decision 18/111 without a vote (for the text as adopted, see part one, chapter II).

Samoa

524. At the 22nd meeting, on 22 September 2011, the Council adopted draft decision 18/112 without a vote (for the text as adopted, see part one, chapter II).

Saint Vincent and the Grenadines

525. At the 23rd meeting, on 23 September 2011, the Council adopted draft decision 18/113 without a vote (for the text as adopted, see part one, chapter II).

Sudan and South Sudan

526. At the 23rd meeting, on 23 September 2011, the Council adopted draft decision 18/114 without a vote (for the text as adopted, see part one, chapter II).

Hungary

527. At the 23rd meeting, on 23 September 2011, the Council adopted draft decision 18/115 without a vote (for the text as adopted, see part one, chapter II).

VII. Human rights situation in Palestine and other occupied Arab territories

A. General debate on agenda item 7

528. At its 28th meetings, on 26 September 2011, the Director of Human Rights Council and Special Procedures Division of the Office of the High Commissioner for Human Rights, Bacre Ndiaye, presented reports of the Secretary-General and the High Commissioner on the implementation of the recommendations of the Fact-Finding Mission on the Gaza Conflict.

529. At the same meeting, the Council held a general debate on agenda item 7, during which the following made statements:

(a) The representative of the Syrian Arab Republic as a concerned country, and the representative of Palestine as a concerned party;

(b) Representatives of States Members of the Council: Bangladesh, China, Cuba, Egypt[1] (on behalf of the Group of Arab States and the Non-Aligned Movement), India, Indonesia, Italy, Jordan, Kuwait, Malaysia, Maldives, Pakistan[1] (on behalf of the Organization of the Islamic Conference), Qatar, Russian Federation, Saudi Arabia, Senegal (on behalf of the Group of African States), Spain and Switzerland;

(c) Representatives of the following observer States: Algeria, Bahrain, Brazil, Democratic People's Republic of Korea, Egypt, Iran (Islamic Republic of), Lebanon, Morocco, Oman, South Africa, Sri Lanka, Sudan, Tunisia, Turkey, United Arab Emirates and Venezuela (Bolivarian Republic of);

(c) Observers for intergovernmental organizations: League of Arab States and Organization of the Islamic Conference;

(d) Observers for the following non-governmental organizations: Al-Haq - The law in the service of Man, BADIL Resource Center for Palestinian Residency and Refugee Rights, Commission of the Churches on International Affairs of the World Council of Churches, Cairo Institute for Human Rights Studies, Coordinating Board of Jewish Organizations (also on behalf of the B'nai B'rith International), Hope International, Indian Movement Tupaj Amaru (also on behalf of World Peace Council), Mouvement contre le racisme et pour l'amitié entre les peuples, Organization for Defending Victims of Violence, Rencontre Africaine pour la Défense des Droits de l'Homme and United Nations Watch.

VIII. Follow-up to and implementation of the Vienna Declaration and Programme of Action

A. Panel discussion on integration of gender perspective

530. At the 27th meeting, on 26 September 2011, the Council held an annual panel discussion on the integration of a gender perspective in the work of the Human Rights Council, in accordance with Council resolution 6/30. The President of the Council made a statement.

The Director the Human Rights Council and Special Procedures Division, Bacre Ndiaye, made opening remarks for the panel on behalf of the High Commissioner.

531. At the same meeting, the following panellists made statements: Christin Chinkin, Savitri Goonesekere, Aparna Mehrota, Reine Alapini Gansou, Hala Ghosheh and Marcos Nascimento.

532. During the first segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Belgium, Chile, Cuba, Pakistan[1] (on behalf of the Organization of the Islamic Conference), Russian Federation and Switzerland;

(b) Representatives of the following observer States: Argentina, Azerbaijan, Finland, France, Iran (Islamic Republic of) and Slovenia;

(c) Observers for the following non-governmental organizations: Verein Sudwind Entwicklungspolitik and World Wide Organization for Women.

533. During the second segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: India, Indonesia and Maldives;

(b) Representatives of the following observer States: Brazil, Canada (also on behalf of Australia and New Zealand), Croatia, Paraguay and Turkey;

(c) Observers for the United Nations entities, specialized agencies and related organizations: United Nations Population Fund (also on behalf of the United Nations Children's Fund);

534. At the same meeting, the following panellists answered questions: Reine Alapini Gansou, Savitri Goonesekere, Aparna Mehrota, Hala Ghosheh, Marcos Nascimento and Christin Chinkin .

B. General debate on agenda item 8

535. At its 29th meeting, on 27 September 2011, the Council held a general debate on agenda item 8, during which the following made statements:

(a) Representatives of States Members of the Council: China, Poland (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, the Republic of Moldova, Serbia, The former Yugoslav Republic of Macedonia, Turkey and Ukraine), United States of America and Uruguay (on behalf of the Southern Common Market, MERCOSUR);

(b) Representatives of the following observer States: Algeria, Azerbaijan, Morocco and Slovenia.

(c) Observers for the following non-governmental organizations: Action Internationale pour la Paix et le Développement des Grands Lacs, Agence Internationale pour le Développement, Comité Internationale pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples, Commission to Study the Organization of Peace, International Association Against Torture, International Buddhist Relief Organisation, International Harm Reduction Association, International Human Rights Association of American Minorities, International Islamic Federation of Student Organizations, Liberation, Mouvement contre le racisme et pour l'amitié entre les peuples (also on behalf of France Libertés: foundation Danielle Mitterand, International Educational Development and Women's Human Rights International Association), Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale-OCAPROCE Internationale, Press Emblem Campaign, Verein Sudwind Entwicklungspolitik, World Environment Resource Council and World Muslim Congress.

C. Consideration of and action on draft proposals

IX. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

A. Interactive dialogue with special procedures

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

536. At the 30th meeting, on 27 September 2011, member of the Working Group of Experts on People of African Descent, Maya Sahli, presented report of the former Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai (A/HRC/18/44).

537. During the ensuing interactive dialogue at the same meeting, the following made statements and asked questions:

(a) Representatives of States Members of the Council: Austria, Bangladesh, Cuba, Ecuador, Egypt[1] (on behalf of the Non-Aligned Movement), India, Indonesia, Senegal (on behalf of Group of African States), Norway, Pakistan[1] (on behalf of the Organization of the Islamic Conference), Russian Federation, Uganda, United States of America and Uruguay (on behalf of MERCOSUR);

(b) Representatives of the following observer States: Algeria, Armenia, Brazil, Denmark, Egypt, Honduras, Iran (Islamic Republic of), Morocco, Portugal, South Africa, Sweden and Venezuela (Bolivarian Republic of);

(c) Observers for the United Nations entities, specialized agencies and related organizations: United Nations Children's Fund;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for the following non-governmental organizations: Center for Environmental and Management Studies, International Humanist and Ethnical Union (also on behalf of World Union for Progressive Judaism) and International Youth and Student Movement for the United Nations.

Working Group of Experts on People of African Descent

538. At the 30th meeting, on 27 September 2011, member of the Working Group of Experts on People of African Descent, Maya Sahli, presented report of the Working Group (A/HRC/18/45).

539. At the same meeting, the Council held an interactive dialogue with the Working Group (see paragraphs 536-537 above).

540. At the same meeting, Maya Sahli answered questions and made her concluding remarks.

B. General debate on agenda item 9

541. At the 31st meeting, on 27 September 2011, Abdul Samad Minty presented the report of the Ad-Hoc Committee on the Elaboration of Complementary Standards on its third session (A/HRC/18/36) on behalf of the Chairperson-Rapporteur of the Ad-Hoc Committee.

542. At the same meeting, the Council held a general debate on agenda item 9, during which the following made statements:

(a) Representatives of States Members of the Council: China, Cuba, Guatemala, Kuwait, , Pakistan[1] (on behalf of the Organization of the Islamic Conference), Poland (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, Serbia, The former Yugoslav Republic of Macedonia, Turkey and Ukraine), Russian Federation, Senegal (on behalf of the Group of African States), Switzerland, United States of America and Uruguay;

(b) Representatives of the following observer States: Algeria, France, Germany, Morocco, Turkey and Venezuela (Bolivarian Republic of);

(c) Observers for the following non-governmental organizations: African Commission of Health and Human Rights Promoters, Agir Ensemble pour les Droits de l'Homme, Association of World Citizens, Centre for Human rights and Peace Advocacy, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples, Commission to Study the Organization of Peace, Espace Afrique International, Fraternité Notre Dame, Inc., Indian Council of South America, Indian Movement Tupaj Amaru, International Buddhist Relief Organisation, International Educational Development, International Human Rights Association of American Minorities, International Humanist and Ethical Union (also on behalf of World Union of Progressive Judaism), International Islamic Federation of Student Organizations, International Youth and Student Movement for the United Nations, Liberation, Mouvement contre le racisme et pour l'amitié entre les peuples, North-South XXI, Ocaproce Internationale - Organisation Camerounaise de Promotion de la Cooperation Economique Internationale, Organization for Defending Victims of Violence, Rencontre Africaine pour la defense des droits de l'homme, United Towns Agency for North-South Cooperation, Verein Sudwind Entwicklungspolitik, World Environment and Resources Council and World Muslim Congress.

C. Panel discussion on tolerance and reconciliation

543. At the 32nd meeting, on 28 September 2011, the Council held a high level panel discussion for the promotion and protection of human rights through tolerance and reconciliation to commemorate Nelson Mandela International Day. The Deputy High Commissioner made opening remarks for the panel.

544. At the same meeting, the following panellists made statements: Mamadou Gnenema Coulibaly, Hieu Van Le Ao, Abdul Samad Minty and Maya Sahli.

545. During the first segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Austria, Ecuador, Pakistan[1] (on behalf of the Organization of the Islamic Conference), Senegal (on behalf of the Group of African States), Thailand and United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Bahrain, South Africa and Sri Lanka,;

(c) Observers for the United Nations entities, specialized agencies and related organizations: United Nations Expert Mechanism of the Rights of Indigenous Peoples;

(d) Observer for an intergovernmental organization: European Union;

(e) Observers for the following non-governmental organizations: International Association Democracy in Africa and World Environment and Resources Council.

546. During the second segment of the ensuing panel discussion at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Chile, India, Indonesia, Norway, Qatar and Russian Federation;

(b) Representatives of the following observer States: Azerbaijan, Canada, Morocco, Namibia and Serbia;

(c) Observer for a national human rights institution: South African Human Rights Commission.

547. At the same meeting, the following panellists answered questions: Maya Sahli, Abdul Samad Minty, Hieu Van Le Ao and Mamadou Gnenema Coulibaly.

D. Consideration of and action on draft proposals

X. Technical assistance and capacity-building

A. Interactive dialogue with special procedures

Independent expert on the situation of human rights in Somalia

548. At the 33rd meeting, on 28 September 2011, the independent expert on the situation of human rights in Somalia, Shamsul Bari, presented his report (A/HRC/18/48).

549. At the same meeting, the representative of Somalia made a statement as the concerned country.

550. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Bangladesh, Czech Republic, Djibouti, Kuwait, Senegal (on behalf of the Group of African States), Switzerland, Thailand, Uganda and United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Canada, Egypt, Ethiopia, France, Morocco, Sudan, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of);

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for the following non-governmental organizations: Amnesty International, Cairo Institute for Human Rights Studies, Human Rights Watch, International Educational Development and Worldwide Organization for Women.

551. At the same meeting, the independent expert answered questions and made his concluding remarks.

Special Rapporteur on the situation of human rights in Cambodia

552. At the 33rd meeting, on 28 September 2011, the Special Rapporteur on the situation of human rights in Cambodia, Surya Prasad Subedi, presented his report (A/HRC/18/46).

553. At the same meeting, the representative of Cambodia made a statement as the concerned country.

554. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: China, Czech Republic, Indonesia, Romania, Malaysia, Norway, Switzerland, Thailand and United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Canada, France, Ireland, Japan, Myanmar, Nepal, Philippines, Singapore, Sweden, United Kingdom of Great Britain and Northern Ireland and Viet Nam;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for the following non-governmental organizations: Asian Forum for Human Rights and Development, CIVICUS - World Alliance for Citizen Participation, Human Rights Watch, International Federation of Human Rights Leagues (also on behalf of Organisation Mondiale Contre la Torture), Rencontre Africaine pour la defense des droits de l'homme and World Association for the School as an Instrument of Peace.

555. At the same meeting, the Special Rapporteur answered questions and made his concluding remarks.

B. General debate on agenda item 10

556. At its 34th meeting, on 28 September 2011, the Deputy High Commissioner presented country-specific reports submitted under agenda item 10.

557. At the same meeting, the representatives of Cambodia and Côte d'Ivoire made statements as concerned countries.

558. During the ensuing general debate, at the same meeting, the following made statements:

(a) Representatives of States Members of the Council: Poland (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, Serbia, The former Yugoslav Republic of Macedonia, Turkey and Ukraine), Senegal (on behalf of the Group of African States), Maldives, Norway, Switzerland, Thailand, United States of America and Uruguay;

(b) Representatives of the following observer States: Algeria and United Kingdom of Great Britain and Northern Ireland;

(c) Observers for non-governmental organizations: Amnesty International, Association of World Citizens and Femme Afrique Solidarité.

C. Consideration of and action on draft proposals