



## **Suggested recommendations to States under review in the 39th session of the UPR Working Group, 1-12 November 2021**

### Contents

Recommendations to the government of Antigua and Barbuda .....	2
Recommendations to the government of Eswatini .....	4
Recommendations to the government of Greece .....	7
Recommendations to the government of Hungary .....	12
Recommendations to the government of Ireland .....	14
Recommendations to the government of Papua New Guinea .....	17
Recommendations to the government of St Vincent and Grenadines .....	20
Recommendations to the government of Samoa .....	22
Recommendations to the government of Tajikistan .....	25
Recommendations to the government of Thailand .....	28
Recommendations to the government of Trinidad and Tobago .....	32
Recommendations to the government of the United Republic of Tanzania .....	34

## Recommendations to the government of Antigua and Barbuda

### *International human rights framework*

- Ratify, without making any reservation, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and its and opt-in to the inquiry and inter-state procedures.
- Ratify the International Covenant on Civil and Political Rights and its Optional Protocols, without making a reservation, and implement it into national law.
- Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, without making a reservation, and implement it into national law.

### *International standards relating to arms control*

- Strictly implement the Arms Trade Treaty, with particular attention to implementing Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law.
- Promptly submit annual reports as a State Party on arms imports and exports (Article 13(3)) which should be comprehensive and public.
- Fully implement the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Explosives, Ammunition and Other Related Materials
- Fully implement, and where necessary tighten, national laws related to the regulation of civilian acquisition, possession and use of firearms.

### *International justice*

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

### *The death penalty*

- Establish an official moratorium on executions and abolish the death penalty in national legislation.

### *Climate Crisis and Human Rights*

- Identify Antigua and Barbuda's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.

## Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021

- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that will adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Take all feasible steps, to the full extent of Antigua and Barbuda's abilities, to reduce greenhouse gas emissions in a manner compatible with the 1.5°C target and its human rights obligations.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

### *Access to COVID-19 diagnostics, treatment and vaccines*

- Support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for COVID-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to COVID-19 health products.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

## Key Amnesty International Documents on Antigua and Barbuda for reference

*Death Sentences and Executions 2020*, 21 April 2021, (Index: ACT 50/3760/2021), [www.amnesty.org/en/documents/act50/3760/2021/en/](http://www.amnesty.org/en/documents/act50/3760/2021/en/)

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, <https://www.amnesty.org/en/documents/pol30/3409/2020/en/>

*Death Sentences and Executions 2019*, 21 April 2020, (Index: ACT 50/1847/2020), <https://www.amnesty.org/en/documents/act50/1847/2020/en/>

Amnesty International Public Statement: *English-Speaking Caribbean: Time to make the death penalty history*, 19 December 2018, (Index: ACT 50/9585/2018), [www.amnesty.org/en/documents/act50/9585/2018/en/](http://www.amnesty.org/en/documents/act50/9585/2018/en/)

*Death Sentences and Executions 2018*, 10 April 2019, (Index: ACT 50/9870/2019), [www.amnesty.org/en/documents/act50/9870/2019/en/](http://www.amnesty.org/en/documents/act50/9870/2019/en/)

*Death Sentences and Executions 2017*, 12 April 2018, (Index: ACT 50/7955/2018), [www.amnesty.org/en/documents/act50/7955/2018/en/](http://www.amnesty.org/en/documents/act50/7955/2018/en/)

## Recommendations to the government of Eswatini

### *National human rights framework*

- Lift the ban on political parties and allow candidates who are from political parties to operate freely without fear of detention, harassment, or attacks.
- Expedite the finalization of the Land Policy and Land Bill and ensure they are compatible with international human rights obligations arising from the right to adequate housing.
- Fully implement, and where necessary tighten, national laws related to the regulation of civilian acquisition, possession and use of firearms.

### *International standards*

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and its and opt-in to the inquiry and inter-state procedures.
- Ratify the Convention on the Prevention and Punishment of the Crime of Genocide and the Optional Protocols to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Elimination of Discrimination against Women.
- Accede to the Rome Statute of the International Criminal Court and the Agreement on the Privileges and Immunities of the International Criminal Court and implement them fully in national law.
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation, and implement it in national law.
- Promptly ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 25 September 2007, without making any reservation, and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.
- Ratify and implement the Arms Trade Treaty, with particular attention to implementing Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law.
- Fully implement the SADC Protocol on Control of Firearms, Ammunition and Other Related Materials.

### *Freedom of Expression, Association and Peaceful Assembly*

- Repeal the Suppression of Terrorism Act, 2008 (as amended in 2017) immediately as it is an inherently flawed piece of legislation to bring it in line with Eswatini's obligations under international and regional human rights law as well as the Eswatini Constitution.
- Amend the Public Order Act of 2017 so that it fully protects the rights to freedom of expression and to peaceful assembly.
- Allow journalists, human right defenders and activists to do their work without fear of harassment and attacks from authorities.

## **Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021**

- Allow and create an enabling environment that would encourage public debate and dialogue even on sensitive and controversial issues such as LGBTI.
- Allow registration of all NGOs without discrimination and restrictions.

### *Right to housing and forced evictions*

- Declare a nationwide moratorium on mass evictions until adequate legal and procedural safeguards are in place to ensure that all evictions comply with international and regional human rights law and standards. This should include a public announcement and immediate measures that the government will take to ensure that those under threat of eviction are protected.
- Introduce and enact legislation, which explicitly prohibits forced evictions and sets out safeguards that must be strictly followed before any eviction is carried out. This law must guarantee protection from forced evictions for all, without discrimination including whether the eviction is carried out by state authorities or private parties. It must be in strict compliance with Eswatini's Constitution and international and regional human rights law and standards, including in respect of the provision of effective remedies.
- Ensure that the development of the law prohibiting forced evictions is carried out through a process of genuine consultations with all stakeholders, including those living on Swazi Nation Land, farm dwellers and those whom the government terms "squatters" and who live with a lack of security of tenure.

### *Violence against women and girls*

- Implement a public education programme to combat domestic violence, including by disseminating publicly, information in Siswati regarding the Sexual Offences Domestic Violence Act 2018 and ensure publication of a summarised version of the SODV act is widely circulated at community level.
- Take steps to ensure that the Swazi customary law is in line with international and regional instruments to which Eswatini acceded or ratified, especially the elimination of discrimination against women.

### *Sexual and reproductive health*

- Decriminalise abortion and guarantee the provision of, and access to comprehensive sexual and reproductive health services and goods, including safe abortion and post-abortion care, and modern contraceptives.

### *Rights of lesbian, gay, bisexual, transgender and intersex people (LGBTI)*

- Repeal all laws that criminalize consensual same-sex sexual conduct and guarantee elimination of all forms of discrimination based on sexual orientation and gender identity.
- Take steps and measures to address the root causes of stigma and discrimination towards LGBTI persons.

### *The death penalty*

- Commute, without delay, all death sentences to terms of imprisonment with a view to abolishing the death penalty.

*Climate Crisis and Human Rights*

- Urgently submit an ambitious Nationally Determined Contribution and take the necessary action to reduce greenhouse gas emissions in line with keeping the temperature rise as low as possible and no higher than 1.5°C and in a manner that advances human rights, including by ending fossil fuel subsidies by 2025 and developing a plan to phase out fossil fuel use no later than 2050.
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that allow to adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Identify Eswatini's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

*Access to COVID-19 diagnostics, treatment and vaccines*

- Support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for COVID-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to COVID-19 health products.
- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

## **Key Amnesty International Documents on Eswatini for reference**

*Eswatini: Authorities must drop trumped-up charges against MP's and release them immediately and unconditionally*, 29 July 2021, <https://www.amnesty.org/en/latest/news/2021/07/eswatini-authorities-must-drop-trumped-up-charges-against-mps-and-release-them-immediately-and-unconditionally-2/>

*Eswatini: Right to protest must be respected*, 29 June 2021, <https://www.amnesty.org/en/latest/news/2021/06/eswatini-right-to-protest-must-be-respected-2/>

*Amnesty International Report 2020/21: The State of the World's Human Rights: Eswatini, Index: (POL 10/3202/202)*, p 157, 7 April 2021, <https://www.amnesty.org/en/documents/pol10/3202/2021/en/>

*Southern Africa: COVID-19 a pretext for surge in harassment of journalists and weakening of media houses by states*, 3 May 2020, [www.amnesty.org/en/latest/news/2020/05/southern-africa-covid19-a-pretext-for-surge-in-harassment-of-journalists-and-weakening-of-media-houses-by-states/](http://www.amnesty.org/en/latest/news/2020/05/southern-africa-covid19-a-pretext-for-surge-in-harassment-of-journalists-and-weakening-of-media-houses-by-states/)

*Eswatini: Snapshots: "They don't see us as people": Security of tenure and forced evictions in Eswatini* August 29, 2019, Index: AFR 55/0891/2019, [www.amnesty.org/en/documents/afr55/0891/2019/en/](http://www.amnesty.org/en/documents/afr55/0891/2019/en/)

*Eswatini: One year on, forcibly evicted Malkerns residents left broken and in poverty*, 9 April 2019, <https://www.amnesty.org/en/latest/news/2019/04/eswatini-one-year-on-forcibly-evicted-malkerns-residents-left-broken-and-in-poverty-2/>

*Human Rights in Africa: Review of 2019: Eswatini entry*, [www.amnesty.org/en/wp-content/uploads/2021/05/AFR0113522020ENGLISH.pdf](http://www.amnesty.org/en/wp-content/uploads/2021/05/AFR0113522020ENGLISH.pdf)

*Swaziland: "They don't see us as people": Security of tenure and forced evictions in Eswatini*, 30 August 2018, Index: AFR 55/8785/2018, [www.amnesty.org/en/documents/afr55/8785/2018/en/](http://www.amnesty.org/en/documents/afr55/8785/2018/en/)

*Amnesty International Report 2017/18: The state of the world's human rights: Greece*, 22 February 2018, Index: POL 10/6700/2018, <https://www.amnesty.org/en/documents/pol10/6700/2018/en/>

## Recommendations to the government of Greece

### *Freedom of assembly and unlawful use of force by law enforcement officials*

- Amend Law no. 4703/2020 on public outdoor assemblies and Presidential Decree no. 73/2020 and bring them into line with Greece's obligations under international human rights law.
- Ensure measures introduced to protect public health do not impose undue restrictions on people's rights to peaceful assembly and freedom of expression; there should be no blanket ban on public assemblies, but each assembly should be assessed on a case-by-case basis.
- Ensure in law and in practice that all uniformed law enforcement officials display an easily recognizable and clearly visible form of personalized identification at all times and take all other necessary steps to ensure the full accountability of members of law enforcement agencies and their commanding officers for their actions.
- Ensure a prompt, impartial, independent and effective investigation of all allegations of human rights violations by law enforcement officials.
- Halt the criminalization of and annul the fines against peaceful protesters, lawyers and women's rights activists and those other individuals who were arbitrarily arrested prior and during the November and December 2020 demonstrations and symbolic actions. Any charges against them for allegedly breaching public health rules must be dropped.

### *Refugees and migrants*

- Revoke the Joint Ministerial Decision no. 42799/2021, issued by the Ministries of Foreign Affairs and Migration and Asylum, which designates Turkey a safe country for asylum seekers from Syria, Afghanistan, Pakistan, Bangladesh and Somalia.
- Immediately halt all pushbacks and other unlawful forced returns of refugees and migrants at land and sea borders as well as any prohibited treatment against them and refrain from them in the future.

- Conduct prompt, independent, impartial, and effective investigations into all allegations of unlawful forced returns, excessive use of force, beatings, and other abuses against refugees and migrants. Ensure that victims and other actors reporting the violations can do so safely and that their allegations are duly followed up.
- Protect people who enter Greece from land and sea borders, including by ensuring that border control operations at land and sea are conducted in compliance with human rights law and the principle of non-refoulement and that all those subjected to border control operations have access to individualized procedures to raise protection needs and effective remedies against deportation and detention decisions.
- Halt the criminalization of irregular entry of refugees and migrants.
- Release refugees and migrants in arbitrary detention in Greece. Urgently implement the recommendations of human rights bodies, including the CoE CPT, regarding the country's migration detention policy, including in terms of maintenance of adequate detainees' records and detention conditions in facilities across the country.
- Take urgent steps to improve the living conditions of asylum-seekers in facilities across Greece, particularly those accommodated in the facilities on the Greek islands. In view of the establishment of "Closed Controlled Structures" on the Greek Islands (Κλειστής Ελεγχόμενης Δομής Νήσων, ΚΕΔΝ), as provided under Law no. 4686/2020, and the foreseen structural interventions to migration facilities in the Evros region, adopt measures to ensure that asylum-seekers and refugees accommodated in all state-run reception facilities enjoy freedom of movement and adequate access to services and that the access of civil society and other independent actors to these facilities is not unduly limited.
- Ensure the provision of adequate procedural safeguards to people seeking asylum, in line with European and international standards, particularly with reference to those in border and accelerated procedures, to those in appeals procedures and to unaccompanied children and other applicants in vulnerable situations.
- Ensure that the legislation on the use of detention of migrants in the context of return procedures is compliant with European and International standards.
- End the detention of minors both in law and in practice, and significantly increase the space available for unaccompanied children in long-term shelters and flats, to meet their actual needs.

#### *Freedom of association*

- Halt the criminalization of individuals and groups working with refugees and migrants. Refrain from misusing, criminal, administrative, security, public order and counter-terrorism legislation to restrict the activities of humanitarian actors assisting refugees and migrants by applying laws that do not fit the conduct that is being investigated and prosecuted. Ensure that no one is criminalized for exercising the right to freedom of expression, association, and assembly, nor subjected to threats, attacks, harassment, smear campaigns, intimidation or reprisals for their human rights work.
- Ensure that laws and regulations affecting the right to freedom of association are discussed in consultation with human rights defenders and civil society organizations. Create an enabling environment for civil society, journalists, and activists, ensuring that they can carry out their work free and unhindered and report violations encountered.
- Take immediate steps to bring Greek legislation and practices affecting the right to freedom of association in line with European and international human rights law and standards. To this end, repeal or substantially amend the Joint Ministerial Decision No. 10616 ("*Defining the operation of the "Register of Greek and Foreign Non-Governmental Organizations (NGOs)" and the*

*"Register of Members of Non-Governmental Organizations (NGOs)", which are active in matters of international protection, immigration and social inclusion within the Greek Territory").*

#### *Conscientious objectors*

- Immediately end the punitive character of the alternative service and of the discrimination conscientious objectors are subjected to regarding the duration of the alternative civilian service, the place of service, and the benefits conscientious objectors are granted. Any duration of alternative service which exceeds that of military service should be justified on reasonable and objective grounds, otherwise it would tend to be punitive or discriminatory. Particular attention should be drawn to the European Parliament resolution specifically asking Greece "to introduce forms of alternative service which do not last longer than compulsory military service".
- Place the examination of applications for alternative service status under the full control of civilian authorities (i.e. outside the Ministry of National Defence) and establish a committee of entirely civilian composition.
- Cease the prosecutions and quash the criminal and administrative sanctions which have been imposed until today to conscientious objectors (including total objectors) in violation of international law.

#### *Right to health*

- Explore alternative options for accessing the maximum available resources in order to fulfil human rights obligations, including for example, through effectively addressing tax evasion and tax fraud
- Ensure that Greece's human rights obligations, and the fiscal space necessary for human rights-related spending, is a key factor in future negotiations on Greece's debt, including while evaluating possible debt relief and changes to the terms of repayment; and that any future commitments around Greece's debt do not undermine the government's ability to fulfil its human rights obligations.
- Increase budgetary allocations to the public health system with a view to, at a minimum, ensuring that retrogressive measures introduced during the imposition of austerity are reversed as soon as possible.
- Develop a plan to ensure that the public health system is adequately funded in the medium to long term. This should include a detailed assessment of the amount of public health spending necessary to ensure that all persons in Greece can enjoy the right to health, and options to finance increased public health spending.
- Urgently reduce unmet health needs and the high burden of out-of-pocket health spending, especially amongst people on lower incomes.
- Urgently remove all administrative and other barriers for persons entitled to access the public health system.
- Urgently conduct and make public the results of a human rights impact assessment, including a gender analysis, to assess how austerity measures have impacted the right to health in Greece, particularly the rights of marginalized groups and groups at risk of greater impact.
- Improve the working conditions of health workers including those that impact the accessibility and quality of healthcare, in particular by restoring benefits, reducing the precariousness of health worker contracts, and ensuring that adequate numbers of health workers are hired to meet the demand for health services.

*Women's rights*

- Reform Law 4800/2021 on joint custody of children and bring it line with Greece's international human rights obligations including the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), the UN Convention on the Rights of the Child and the UN Convention on the Elimination of all Forms of Discrimination Against Women.

*Discrimination*

- Combat discrimination towards LGBTI persons including by introducing full marriage equality.
- Ensure people can change their legal name and gender through an out of court administrative procedure that is quick, transparent and easily accessible to all transgender and non-binary people, including refugees and migrants. To the extent possible, ensure the process is cost-free and does not require applicants to fulfil abusive medical or legal requirements.
- Adopt rights-based healthcare protocols, including through passing legislation, in order to address key issues affecting the rights of individuals with variations in sex characteristics and ensure that no child is subjected to non-emergency, invasive and irreversible surgery or treatment with harmful effects.

*Climate crisis and human rights*

- Take all feasible steps to the full extent of Greece's abilities to reduce greenhouse gas emissions in a manner compatible with the 1.5°C target and its human rights obligations, including adopting and implementing national policies that exceed the 2030 and long-term targets for emission reduction set by the EU.
- Commit to immediately end all fossil fuel subsidies to phase out all fossil fuel use by 2030 or as soon as possible after that and implement the commitment to phase out coal by 2025.
- Substantially increase international cooperation and assistance for climate change mitigation and adaptation and to provide additional resources for loss and damage, working to ensure that the EU mobilizes with other G20 members to meet and incrementally increase the USD\$100 billion a year target.
- Ensure that economic recovery packages contribute to both reducing emissions and to addressing the inequalities that the Covid-19 pandemic and the climate crisis have exacerbated, including by conducting transparent human rights and environmental impact assessments.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their work, without fear of reprisals, in a safe and enabling environment.

*Access to Covid-19 diagnostics, treatment and vaccines*

- Support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for COVID-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to COVID-19 health products.

- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

#### *Ratification of treaties*

- Ratify the Optional Protocol to the UN Convention of the Rights of the Child and opt in to the inquiry and inter-state procedures.
- Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures.

### **Key Amnesty International Documents on Greece for reference**

*Greece: Vote on legal gender recognition is a historic step forward for transgender rights*, 10 October 2017, <https://www.amnesty.org/en/latest/press-release/2017/10/greece-vote-on-legal-gender-recognition-is-an-historic-step-forward-for-transgender-rights/>

*Greece: Application procedures for obtaining the status of conscientious objectors to military service in accordance with human rights standards*, 17 December 2018 (Index number: EUR 25/9575/2018), <https://www.amnesty.org/en/documents/eur25/9575/2018/en/>

*Greece: Observations on the right to conscientious objection - serious violations of Greece's obligations towards conscientious objectors remain unaddressed in proposed bill despite some positive steps*, 20 March 2019 (Index number: EUR 25/0088/2019), <https://www.amnesty.org/en/documents/eur25/0088/2019/en/>

*Europe: Human rights in Europe - review of 2019*, p. 37, <https://www.amnesty.org/download/Documents/EUR0120982020ENGLISH.PDF>

*Resuscitation Required: The Greek Health System After a Decade of Austerity*, (Index Number: EUR 25/2176/2020), <https://www.amnesty.org/en/documents/eur25/2176/2020/en/>

*Europe: Punishing compassion: Solidarity on trial in Fortress Europe*, 3 March 2020, (Index Number: EUR 01/1828/2020), p. 48-53, <https://www.amnesty.org/en/documents/eur01/1828/2020/en/>

*Europe: Caught in a political game: Asylum-seekers and migrants on the Greece/Turkey border pay the price for Europe's failures*, 2 April 2020 (Index Number: EUR 01/2077/2020), [https://www.amnesty.org/en/documents/eur01/2077/2020/en/rice for Europe's failures](https://www.amnesty.org/en/documents/eur01/2077/2020/en/rice-for-Europe's-failures)

*Policing the pandemic: Human Rights violations in the enforcement of Covid-19 measures in Europe*, 23 June 2020 (Index Number EUR 01/2511/2020), <https://www.amnesty.org/en/documents/eur01/2511/2020/en/>

## Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021

*Greece: Amnesty International's Submission to the Committee of Ministers in the M.S.S. and Rahimi Groups of cases v. Greece (Applications no. 30696/09 and no 8687/08)*, 14 September 2020, (Index Number: EUR 25/3063/2020), <https://www.amnesty.org/en/documents/eur25/3063/2020/en/>

*Greece: Blanket ban on public assemblies must be urgently revoked*, 16 November 2020 (Index Number: EUR 24/3346/2020), <https://www.amnesty.org/en/documents/eur25/3346/2020/en/>

*Amnesty International Report 2020/21: The State of the World's Human Rights: Greece, Index: (POL 10/3202/202)*, p 172, 7 April 2021, <https://www.amnesty.org/en/documents/pol10/3202/2021/en/>

*Greece: Safety of women and children at risk as MPs vote on law which would breach Istanbul Convention*, 18 May 2021, <https://www.amnesty.org/en/latest/press-release/2021/05/greece-safety-of-women-and-children-at-risk-as-mps-vote-on-law-which-would-breach-istanbul-convention/>

*Greece: Violence, lies and pushbacks – Refugees and Migrants still denied safety and asylum at Europe's borders*, 23 June 2021 (Index Number: EUR: 25/4307/2021), <https://www.amnesty.org/en/documents/eur25/4307/2021/en/>

*Greece: Freedom of assembly at risk and unlawful use of force in the era of COVID-19*, 14 July 2021, (Index Number: EUR 25/4399/2021), <https://www.amnesty.org/en/documents/eur25/4399/2021/en/>

## Recommendations to the government of Hungary

### *National Human Rights Framework*

- Ratify the Istanbul Convention to ensure more effective prevention, prosecution and protection from violence against women and domestic violence.
- Protect and facilitate the rights to freedom of association, peaceful assembly and expression including by repealing laws stigmatizing and discriminating against NGOs and foreign-owned universities.
- Amend the Fundamental Law by repealing the unnecessarily restrictive and discriminatory provisions introduced since 2016, including those which restrict the rights of LGBTI people.
- Provide equal rights for LGBTI people, including legalising same-sex marriage and adoption by same-sex couples and by individuals.

### *Gender discrimination against women*

- Amend the Labour Code and all relevant laws regulating employment to encourage part-time employment and flexible working hours and protecting women workers from unfair dismissal.
- Provide access to legal remedies for employment discrimination by amending the rules for exemption from court fees and propose legislation to increase the level of reparations.
- Promote women's rights and gender equality in the workplace and take effective measures to tackle the gender pay gap; oblige both public and private sector employers to adopt action plans aiming to eliminate the gender pay-gap.

### *Climate Crisis and Human Rights*

- Take all feasible steps to the full extent of Hungary's abilities to reduce greenhouse gas emissions in a manner compatible with the 1.5°C target and its human rights obligations, including adopting and implementing national policies that exceed the 2030 and long-term targets for emission reduction set by the EU.

## **Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021**

- Commit to immediately ending all fossil fuel subsidies and to phase out all fossil fuel use and production by 2030 or as soon as possible after that and implement Hungary's commitment to phase out use of coal by 2025.
- Substantially increase international cooperation and assistance for climate change mitigation and adaptation and to provide additional resources for loss and damage, working to ensure that the EU mobilizes with other G20 members to meet and incrementally increase the USD\$100 billion a year target.
- Ensure that economic recovery packages contribute to both reducing emissions and to addressing the inequalities that the Covid-19 pandemic and the climate crisis have exacerbated, including by conducting transparent human rights and environmental impact assessments.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

### *Access to COVID-19 diagnostics, treatment and vaccines*

- Support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for COVID-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to COVID-19 health products.
- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

### *International Justice*

- Promptly accede to the International Convention for the Protection of All Persons from Enforced Disappearance without making any reservation and implement it fully into national law. Likewise, Hungary should recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties.

### *Ratification of Treaties*

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and its and opt-in to the inquiry and inter-state procedures.

## **Key Amnesty International Documents on Hungary for reference**

*Amnesty International Report 2020/21: The State of the World's Human Rights: Hungary, Index:* (POL 10/3202/202), p 180, 7 April 2021, <https://www.amnesty.org/en/documents/pol10/3202/2021/en/>

*Dark Day for LGBTI community as homophobic discriminatory bill and constitutional amendments are passed*, 15 December 2020, <https://www.amnesty.org/en/latest/news/2020/12/hungary-dark-day-for-lgbti-community-as-homophobic-discriminatory-bill-and-constitutional-amendments-are-passed/>

*Homophobic adoption bill is part of an ongoing attack on LGBTQ community*, 14 December, 2020, <https://www.amnesty.org/en/latest/news/2020/12/hungary-homophobic-adoption-bill-is-part-of-an-ongoing-attack-on-lgbtq-community/>

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, <https://www.amnesty.org/en/documents/pol30/3409/2020/en/>

*Hungarian Parliament must reject amendments further undermining the rights of LGBTI people*, 26 November 2020, <https://www.amnesty.org/en/documents/eur27/3353/2020/en/>

*No working around it – Gender-based discrimination in Hungarian workplaces*, 3 June 2020, <https://www.amnesty.org/en/documents/eur27/2378/2020/en/>

*The reality for trans people in Hungary*, 1 June 2020, <https://www.amnesty.org/en/latest/campaigns/2020/06/the-reality-for-trans-people-in-hungary/>

*Protect transgender and intersex people's rights*, 29 May 2020, <https://www.amnesty.org.uk/urgent-actions/protect-transgender-and-intersex-peoples-rights>

*Annual Report on Hungary 2019*, <https://www.amnesty.org/en/countries/europe-and-central-asia/hungary/report-hungary/>

*Laws designed to silence: the global crackdown on civil society organizations*, 21 February 2019, <https://www.amnesty.org/en/documents/act30/9647/2019/en/>

*New laws that violate human rights, threaten civil society and undermine the rule of law should be shelved*, 20 June 2018, <https://www.amnesty.org/en/documents/eur27/8633/2018/en/>

*Authorities must stop new attempt to choke civil society*, 24 January 2018, <https://www.amnesty.org/en/documents/eur27/7785/2018/en/>

*Draft laws targeting NGOs must be stopped*, 14 June 2017, <https://www.amnesty.org/en/documents/eur27/6366/2017/en/>

## Recommendations to the government of Ireland

### *International human rights framework*

- Promptly ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 29 March 2007, without making any reservation, and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties (declarations set out in Articles 31 and 32) and ensure that its provisions are reflected in national legislation.
- Promptly complete the legislative and other requirements so it can ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Ensure that victims of all human rights violations are provided with access to effective remedies by ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural

Rights, opting in to its inquiry and inter-state procedures.

#### *Sexual and reproductive rights*

- Ensure the three-year review of the Health (Regulation of Termination of Pregnancy) Act 2018 is comprehensive and directed at providing a human rights-compliant framework for abortion, in law and in practice, including by identifying and eliminating barriers impacting marginalized groups, and young people and adolescents.

#### *Refugees and asylum seekers*

- Produce and publish a detailed implementation plan and timeline to ensure that the commitment to ending “direct provision” by 2024 and creating a human rights-compliant alternative is realized.
- Ensure the rights, dignity, health and lives of people who remain in “direct provision” during the transition period are respected and protected until that accommodation system is ended, including through effective measures to prevent transmission of COVID-19.
- Reduce the processing times, and address the backlog of cases, in the international protection determination system, while ensuring decisions are fair and thorough.

#### *Right to housing*

- Schedule a referendum on a constitutional right to housing in line with international human rights standards.

#### *Protection and promotion of civil society*

- Amend the Electoral Act to ensure funding for civil society groups is regulated or limited only to the degree necessary and proportionate to a legitimate aim, and in line with the right to freedom of association and expression.

#### *Accountability for past abuses*

- Fulfil its obligation to ensure full truth, justice and reparation for all survivors of human rights abuses and violations in ‘mother and baby homes’.

#### *Climate Crisis and Human Rights*

- Take all feasible steps to the full extent of Ireland’s abilities to reduce greenhouse gas emissions in a manner compatible with the 1.5°C target and with its human rights obligations, including adopting and implementing national policies that exceed the 2030 and long-term targets for emission reduction set by the EU.
- Commit to immediately ending all fossil fuel subsidies and to phase out all fossil fuel use and production by 2030 or as soon as possible after that and implement the commitment to phase out use of coal by 2025.
- Substantially increase international cooperation and assistance for climate change mitigation and adaptation and to provide additional resources for loss and damage, working to ensure that the EU mobilizes with other G20 members to meet and incrementally increase the USD\$100 billion a year target.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human

rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

#### *Access to COVID-19 diagnostics, treatment and vaccines*

- Support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for COVID-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to COVID-19 health products.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

#### *International Justice*

- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation.

## **Key Amnesty International Documents on Ireland for reference**

*Amnesty International Report 2020/21: The State of the World's Human Rights: Ireland, Index:* (POL 10/3202/202), p 199, 7 April 2021, <https://www.amnesty.org/en/documents/pol10/3202/2021/en/>

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, <https://www.amnesty.org/en/documents/pol30/3409/2020/en/>

*Ireland: Submission to The United Nations Committee on the Elimination of All Forms of Racial Discrimination*, 6 November 2019, Index: EUR 29/1344/2019, <https://www.amnesty.org/en/documents/eur29/1344/2019/en/>

*Europe: Human rights in Europe - review of 2019*, 16 April 2020, Index: EUR 01/2098/2020, <https://www.amnesty.org/en/documents/eur01/2098/2020/en/>

*Amnesty International Report 2017/18: The state of the world's human rights*, 22 February 2018, Index POL10/6700/2018, <https://www.amnesty.org/en/documents/POL10/6700/2018/En/>

*Ireland: Submission to the United Nations Committee Against Torture, 61st Session, 24 July to 11 August 2017*, 27 June 2017, Index: EUR 29/6564/2017, <https://www.amnesty.org/en/documents/eur29/6564/2017/en/>

*Amnesty International Report 2016/17: The state of the world's human rights*. 22 February 2017, Index: POL10/4800/2017, <https://www.amnesty.org/en/documents/pol10/4800/2017/en/>

*Ireland: Amnesty International's Submission to the Committee on the Elimination of Discrimination against Women*, 23 January 2017, Index: EUR 29/5543/2017, <https://www.amnesty.org/en/documents/eur29/5543/2017/en/>

*Ireland: 'Tuam babies' mass grave allegations must spark urgent investigation*, 5 June 2014, [www.amnesty.org/en/latest/news/2014/06/ireland-tuam-babies-mass-grave-allegations-must-spark-urgent-investigation/](http://www.amnesty.org/en/latest/news/2014/06/ireland-tuam-babies-mass-grave-allegations-must-spark-urgent-investigation/).

## Recommendations to the government of Papua New Guinea

### *The national human rights framework*

- Ratify the remaining core human rights treaties, without making any reservation, and, in particular, expedite ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment, the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty, the Optional Protocol of the Convention against Torture, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and its and opt-in to the inquiry and inter-state procedures and the Optional Protocols on the Convention of the Rights of the Child and, where necessary, seek international cooperation and assistance to incorporate these treaties into domestic law and update on its existing treaty body reporting obligations.
- Amend the Bill of Rights in the Constitution to prohibit discrimination on the basis of sexual orientation and gender identity.
- Implement an immediate moratorium on the death penalty with a view towards abolishing the practice altogether.
- Establish a National Human Rights Institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).
- Establish an independent and effective investigations and complaints mechanism to address allegations of torture and other ill-treatment and other forms of abuse by the police and security forces; ensure it has a broad and strong mandate and fully complies with international law and standards and effectively engages with civil society in the process.

### *Women's rights and gender-based violence*

- Fully decriminalize abortion and ensure universal and safe access to abortion and other sexual and reproductive health rights.
- Fully implement the Family Protection Act and a national action plan to address all forms of gender-based violence and ensure women are able to access justice, including through free legal aid support when they have experienced violence.
- Ensure that survivors of sexual violence and abuse have unrestricted access to women's shelters and provide adequate financial and human resources to women's support services, including for effective victim protection.
- Work with local communities to ensure that harmful practices (and laws and policies that support them) that discriminate against women such as early or forced marriage, sorcery-related killings) and bride price are abolished.
- Fully decriminalize sex work and related activities so that sex workers, and organizations that work with them, are not targeted by law enforcement agencies.

### *Discrimination on the basis of sexual orientation and gender identity*

- Immediately repeal sections 210 and 212 of the Criminal Code Act.
- Publicly reaffirm that all people in PNG have the right to live free from discrimination and violence based on their sexual orientation or gender identity and that acts of violence against them will be prosecuted.

*Failure to address intercommunal violence*

- Ensure there are adequate law and order resources devoted to addressing conflict and ensuring perpetrators of violence are held accountable in accordance with the right to a fair trial.
- Ensure inclusive participation of women and children and other affected individuals in peacebuilding measures, from a human rights-based perspective, with a primary focus on protecting the right to life.

*Health care and pandemic response*

- Ensure that any penalty for breaching lockdown and other coercive enforcement measures conform with the principles of legality, necessity, proportionality and non-discrimination and ensure the powers and responsibilities of law enforcement officials are clearly circumscribed and refrain from bestowing any additional powers or immunities to enforce pandemic response measures.
- Ensure that all healthcare workers are able to adequately protect themselves during the COVID-19 pandemic, including by access to sufficient quantities of personal protective equipment, that they are protected from stigma and abuse in relation to their employment enabling them to work free from reprisals, intimidation or threats, and that their right to strike and right to freedom of expression is respected.
- Increase public health sector resources and ensure that economic recovery packages protect the right to an adequate standard of living for all persons, including people on lower incomes, those working in the informal sector, and others who may be at risk and most affected by the COVID-19 crisis and set up monitoring and review mechanisms to assess their impact and amend as necessary.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.
- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.

*Climate change and the environment*

- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that allow to adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Identify Papua New Guinea's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.

## Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021

### *Refugees and Asylum seekers*

- Immediately end refugee and asylum seeker arrangements with the Australian government and ensure that the remaining refugees and asylum seekers who wish to do so are transferred to Australia or settled in a country where they are safe, and their rights are respected and protected.
- Ensure that all asylum seekers with negative asylum assessments are entitled to appeal their decision through a fair trial process, and that no person is returned to their country of origin in breach of the principle of non-refoulement.

### *Death Penalty*

- Immediately call off the announced plan to carry out executions, commute all existing death sentences and establish an official moratorium on executions as first steps towards full abolition in national legislation.

### *International Justice*

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

## **Key Amnesty International Documents on Papua New Guinea for reference**

*Papua New Guinea: Health in crisis: Amnesty International submission for the UN Universal Periodic Review, 39th session of the UPR Working Group, 1-12 November 2021*, 23 April 2021, Index: ASA 34/4020/2021, <https://www.amnesty.org/en/documents/asa34/4020/2021/en/>

*Amnesty International Report 2020/21: The State of the World's Human Rights: Papua New Guinea*, Index: (POL 10/3202/202), p 285, 7 April 2021, <https://www.amnesty.org/en/documents/pol10/3202/2021/en/>

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, <https://www.amnesty.org/en/documents/pol30/3409/2020/en/>

*Pacific: Pacific countries must not use COVID-19 to regress on human rights*, 14 April 2020, Index: ASA 05/2144/2020, <https://www.amnesty.org/en/documents/asa05/2144/2020/en/>

*Health care cuts: Australia's reduced health care support for refugees and asylum seekers in Papua New Guinea*, 17 May 2018, Index: ASA 34/8354/2018, <https://www.amnesty.org/en/documents/asa34/8354/2018/en/>

*Punishment not protection: Australia's treatment of refugees and asylum seekers in Papua New Guinea*, 1 February 2018, Index: ASA 34/7781/2018, <https://www.amnesty.org/en/documents/asa34/7781/2018/en/>

## Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021

*In the firing line: Shooting at Australia's refugee centre on Manus Island in Papua New Guinea*, 14 May 2017, Index: ASA 34/6171/2017, <https://www.amnesty.org/en/documents/asa34/6171/2017/en/>

*Papua New Guinea: Amnesty International welcomes closure of Manus Island refugee detention facility and urges increased protection of women and girls from discrimination and violence*, 21 September 2016, Index: ASA 34/4884/2016, <https://www.amnesty.org/en/documents/asa34/4884/2016/en/>

*Papua New Guinea: Disgraceful shootings of students*, 8 June 2016, <https://www.amnesty.org/en/latest/press-release/2016/06/papua-new-guinea-disgraceful-shootings-of-students-must-be-promptly-investigated/>

*Papua New Guinea: Outlawed and abused: Criminalizing sex work in Papua New Guinea*, 25 May 2016, Index: ASA 34/4030/2016, <https://www.amnesty.org/en/documents/asa34/4030/2016/en/>

## Recommendations to the government of St Vincent and Grenadines

### *International human rights standards*

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures.
- Ratify the Optional Protocols to the International Covenant on Civil and Political Rights.
- Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

### *International standards relating to arms control*

- Strictly implement the Arms Trade Treaty, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, prohibiting the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law.
- Promptly submit annual reports as a State Party on arms imports and exports (Article 13(3)) ensuring that these are comprehensive and public.
- Fully implement the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Explosives, Ammunition and Other Related Materials.
- Fully implement, and where necessary tighten, national laws related to the regulation of civilian acquisition, possession and use of firearms.

### *International justice*

- Ratify the Agreement on the Privileges and Immunities of the International Criminal Court and implement it in national law.
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 29 March 2010, without making a reservation or a declaration amounting to reservations, and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.

### *The death penalty*

- Establish an official moratorium on executions, commute the last existing death sentence and abolish the death penalty from national legislation.

*Climate Crisis and Human Rights*

- Urgently submit an ambitious Nationally Determined Contribution and take the necessary action to reduce greenhouse gas emissions in line with keeping the temperature rise as low as possible and no higher than 1.5°C and in a manner that advances human rights.
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that allow to adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Identify St Vincent and Grenadine's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

*Access to Covid-19 diagnostics, treatment and vaccines*

- Support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for COVID-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to COVID-19 health products.
- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

## **Key Amnesty International Documents on St Vincent and Grenadines for reference**

*Death Sentences and Executions 2020*, 21 April 2021, (Index: ACT 50/3760/2021), [www.amnesty.org/en/documents/act50/3760/2021/en/](http://www.amnesty.org/en/documents/act50/3760/2021/en/)

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, <https://www.amnesty.org/en/documents/pol30/3409/2020/en/>

*Death Sentences and Executions 2019*, 21 April 2020, (Index: ACT 50/1847/2020), <https://www.amnesty.org/en/documents/act50/1847/2020/en/>

Public Statement: *English-Speaking Caribbean: Time to make the death penalty history*, 19 December 2018, (Index: ACT 50/9585/2018), [www.amnesty.org/en/documents/act50/9585/2018/en/](http://www.amnesty.org/en/documents/act50/9585/2018/en/)

*Death Sentences and Executions* 2018, 10 April 2019, (Index: ACT 50/9870/2019), [www.amnesty.org/en/documents/act50/9870/2019/en/](http://www.amnesty.org/en/documents/act50/9870/2019/en/)

*Death Sentences and Executions* 2017, 12 April 2018, (Index: ACT 50/7955/2018), [www.amnesty.org/en/documents/act50/7955/2018/en/](http://www.amnesty.org/en/documents/act50/7955/2018/en/)

## Recommendations to the government of Samoa

### *The national human rights framework*

- Accede to the remaining core human rights treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Covenant on Economic, Social and Cultural Rights and incorporate these into domestic law.
- Accede to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures and the Optional Protocol to the Convention on Rights of Persons with Disabilities and incorporate these into domestic law.
- Ensure that Samoa meets its international human rights commitments, including by ensuring human rights apply to land disputes and that customary law is interpreted consistently with human rights obligations.

### *The independence of the judiciary, right to a fair trial and access to justice*

- Invite the Special Rapporteur on the Independence of Judges and Lawyers to investigate, visit or report on the situation in the country and implement the recommendations which have already been communicated by the Special Rapporteur to the Samoan government.
- Amend or repeal the reforms to the legal and land titles system passed in December 2020 to ensure they comply with international human rights laws and standards on the independence of judges and lawyers, that they ensure the right to a fair trial, a right to appeal to an independent and impartial tribunal and equality before the law, and that there is a right to a remedy for all human rights violations.
- Publicly commit to and refrain from any acts of intimidation or threats to judges and lawyers, particularly as a result of their conduct in cases that relate to the Prime Minister, or because of any opinion or belief expressed on the new legal reforms.
- The Prime Minister should remove himself from exercising executive authority in any case where there is an actual or perceived conflict of interest, namely in the extradition case of Pauga whose extradition is being sought from Australia.

### *Gender equality*

- Address gender inequality by the removal of barriers, whether cultural, economic, institutional or religious, preventing women from having an equal opportunity to gain access to positions of power at all levels (including in politics); the elimination of disempowering stereotypes, misogyny and violence against women in public and private spheres; parity for women in decision-making forums; and gender-sensitive mainstreaming of policymaking processes, including budgeting.

**Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021**

- Ensure the minimum age of consent for marriage is 18 years of age for both men and women.
- Protect universal access to safe abortion and related care and information, including through full decriminalization of abortion.
- Decriminalize sex work and related activities.

*Sexual Orientation and gender identity*

- Immediately repeal all laws that criminalize consensual same sex sexual activity for adults and strengthen anti-discrimination laws to ensure people are not discriminated against based on their sexual orientation or gender identity.

*Persons with disabilities*

- Invest in the development and implementation of a free medical health scheme for all persons with disabilities. Train more health professionals, strengthen the work of organisations working with persons with disabilities to provide physical and mental health services and improve access to specific health services.

*Adequate health care*

- Conduct a prompt, impartial, independent and effective inquiry into the causes of the measles outbreak in 2019, which disproportionately impacted on children and ensure that recommendations on right to a remedy and improving access to adequate health care and access to health information are implemented.
- Ensure the right to privacy is protected for all persons regardless of their health status and ensure that patients and health care workers are free from reprisals, intimidation, and threats.
- Ensure that COVID-19 responses only impose such restrictions on freedoms that conform with the principles of legality, necessity, proportionality and non-discrimination and not use the State of Emergency to implement policies which are designed to undermine human rights.
- Empower and support people to comply with public health regulations, including by ensuring access to public health information and by enabling people who are marginalised to satisfy their essential needs, and ensure that penalties are only imposed after other alternatives have proven, or are clear to be, unsuccessful.
- Develop a plan to ensure that the public health system is adequately funded and staffed and increase budgetary allocations to the public health sector as necessary.
- Ensure that economic recovery packages protect the right to an adequate standard of living of all persons, including people on lower incomes, those working in the informal sector, and others who may be at risk and most affected by the COVID-19 crisis and set up monitoring and review mechanism to assess their impact and amend them as necessary.

*Access to Covid-19 diagnostics, treatment and vaccines*

- Prioritise cooperation with international mechanisms aiming to ensure global access to vaccines and treatments.
- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.

## Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021

- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

### *Climate crisis and human rights*

- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that allow to adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Respect, protect and fulfil the right to information, participation and to effective remedies, as well as to freedom of expression and assembly in all climate policies and strategies in line with human rights law and Sustainable Development Goal 16 (peace, justice and strong institutions).
- Ensure that gender equality and the rights of members of marginalized groups receive adequate consideration in all climate and just transition policies and that people can participate in decisions affecting them.
- Ensure any Covid-19 response measures facilitate the transition away from fossil fuels and towards human rights consistent renewable energy and a zero-carbon economy and also provide for greater social protection and the creation of green and other new jobs that deliver sustainable and decent employment for all workers without discrimination of any kind.
- Commit to ending subsidies for fossil fuels by 2025 and develop a plan to phase out all fossil fuel use by 2050, including by seeking international co-operation and assistance to continue to work towards its 100% renewable electricity goals by 2025.

### *Ratification of Treaties*

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

## **Key Amnesty International Documents on Samoa for reference**

*Samoa: Judicial reforms weaken human rights, Submission for the Universal Periodic Review, 23 April 2021, Index: ASA 45/4021/2021, <https://www.amnesty.org/en/documents/asa45/4021/2021/en/>*

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines, 8 December 2020, <https://www.amnesty.org/en/documents/pol30/3409/2020/en/>*

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## Recommendations to the government of Tajikistan

### *Freedom of Expression and the Media*

- Bring legislation on NGOs into line with international standards and involve NGOs in consultations on the laws on public associations and non-commercial organisations, as well as other legislation that affects the exercise of human rights.
- Ensure that human rights NGOs, defenders and lawyers are not subjected to pressure by government and law enforcement officials because of their work and that they can carry out their work without fear of reprisals.
- Urgently implement the UN Human Rights Committee's recommendations and bring legislation on states of emergency into line with Article 4 of the ICCPR.
- Refrain from using emergency powers arbitrarily during police or security operations when no state of emergency has been declared.

### *Repression of Dissent – Forcible return, torture and ill-treatment*

- Immediately cease reprisals, violence and pressure on political opposition and civil society activists, lawyers and members of their families, including threats of harm and sexual violence; thoroughly, transparently and effectively investigate all complaints and reports of such abuse and bring suspected perpetrators to justice in fair trials.
- Ensure that all detainees and prisoners, including those who have been extradited or otherwise returned from other countries, are able, from the outset of detention, to exercise their rights to contact their family or another third party, and to consult in private and in confidence with a lawyer of their choice and with an independent medical practitioner.
- Ensure that the legal safeguards pertaining to the early stages of detention are consistently implemented in practice and provide for sanctions against law enforcement officials who are found responsible for violating these legal requirements.
- Amend the Code on the Implementation of Criminal Punishment to ensure that family members are promptly informed of prisoners' whereabouts upon admission to a prison facility and of any transfers.
- Honour their international obligations by implementing the recommendation of the UN Working Group on Arbitrary Detention and release human rights lawyer Buzurgmekhr Yorov immediately and unconditionally.
- Implement relevant accepted recommendations from the previous review and the August 2019 recommendation by the Human Rights Committee to "establish [...] as a matter of priority, a genuinely independent complaints mechanism to investigate allegations of torture and other ill-treatment and ensure that complainants are protected against any form of reprisal".
- Implement the recommendation accepted at the previous review to ensure that prompt, thorough and impartial investigations are carried out into all deaths in custody as well as all allegations of torture and ill-treatment in places of detention and prisoner transportation.
- Ratify the Optional Protocol to the Convention against Torture and set up a National Preventive Mechanism (NPM) and establish as a matter of priority an effective system of independent, unannounced inspection and supervision of all places of detention by competent, independent and impartial bodies, including civil society groups. This mechanism should be separate from and in addition to the NPM once it has been set up.

## **Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021**

- Guarantee that these independent monitors, as well as NPM members, have the right to confidentially interview all detainees and prisoners and investigate any complaints of torture or other ill-treatment.

### *Rights of Lesbian, Gay, Transgender and Intersex People*

- Ensure that all credible allegations of arbitrary detention, extortion, torture and other ill-treatment of LGBTI persons by government agents or of their abuse by non-state actors are promptly, thoroughly, impartially and independently investigated, and that suspected perpetrators are brought to justice in fair trials.
- Devise and implement specific procedures to ensure that LGBTI persons who lodge complaints or provide witness reports about extortion or physical abuse by police or non-state actors are protected against reprisals as soon as the authorities receive the complaint/witness report and that appropriate disciplinary or, where relevant, criminal measures are imposed against suspected perpetrators for such actions.

### *Climate Crisis and Human Rights*

- Urgently submit a new ambitious Nationally Determined Contribution and take the necessary action to reduce greenhouse gas emissions in line with keeping the temperature rise as low as possible and no higher than 1.5°C and in a manner that advances human rights, including by ending fossil fuel subsidies by 2025 and developing a plan to phase out fossil fuel use no later than 2050.
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that allow to adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Identify Tajikistan's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

### *Access to Covid-19 diagnostics, treatment and vaccines*

- Continue to support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for Covid-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to Covid-19 health products.
- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as

protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

#### *Death Penalty*

- Abolish the death penalty from national legislation for all crimes and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

#### *International Human Rights Framework*

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

### **Key Amnesty International Documents on Tajikistan for reference**

*Tajikistan: Failure to respect and protect fundamental human rights: Submission for the Universal Periodic Review*, <https://www.amnesty.org/en/documents/eur60/4153/2021/en/>

*Amnesty International Report 2020/21: The State of the World's Human Rights: Tajikistan*, (POL 10/3202/202), 7 April 2021, <https://www.amnesty.org/en/countries/europe-and-central-asia/tajikistan/report-tajikistan/>

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*Eastern Europe and Central Asia Confronted with Covid-19: Responses and Responsibilities*, (EUR 01/2215/2020), 29 April 2020, <https://www.amnesty.org/en/documents/eur01/2215/2020/en/>

*Tajikistan: Further Information: Independent Journalist Imprisoned for A Year: Daler Sharipov*, (EUR 60/2206/2020), 22 April 2020, <https://www.amnesty.org/en/documents/eur60/2206/2020/en/>

*Tajikistan: Journalist Jailed and At Risk of Torture: Daler Sharipov* (EUR 60/1808/2020), 13 February 2020, <https://www.amnesty.org/en/documents/eur60/1808/2020/en/>

*Human Rights in Eastern Europe and Central Asia – a Review of 2019*, (EUR 01/1355/2020), 16 April 2020, <https://www.amnesty.org/en/documents/eur01/1355/2020/en/>

*Submission to the Council of Europe Committee of Ministers: GARABAYEV v. RUSSIAN FEDERATION (No.38411/02) GROUP OF CASES, (B1936)*, 6 March 2019, <https://www.amnesty.eu/wp-content/uploads/2019/03/Amnesty-International-submission-CtteeMinistersGarabayev-v-RFB1936-06032019.pdf>

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*Tajikistan: Opposition Activist at Risk in Tajikistan: Sharoffidin Gadoev* (EUR 60/9926/2019), 28 February 2019, <https://www.amnesty.org/en/documents/eur60/9926/2019/en/>

*Tajikistan: Further Information: Opposition Activist Released: Sharoffidin Gadoev* (EUR 60/9957/2020), 5 March 2019, <https://www.amnesty.org/en/documents/eur60/9957/2019/en/>

*Tajikistan: Release of Independent Journalist a Rare Victory for Freedom of Expression*, 22 August 2018, <https://www.amnesty.org/en/latest/news/2018/08/tajikistan-release-of-independent-journalist-a-rare-victory-for-freedom-of-expression/>

*Tajikistan: Tajikistan must immediately release journalist and stand-up comedian Khairullo Mirsaidov*, (EUR 60/7787/2018), 25 January 2018, <https://www.amnesty.org/download/Documents/EUR6077872018ENGLISH.pdf>

*Amnesty International Report 2017/18: The State of the World's Human Rights: Tajikistan*, <https://www.amnesty.org/download/Documents/POL1067002018ENGLISH.PDF>

*Tajikistan: Further Information: Torture Fears for Detained Human Rights Lawyer: Buzurgmekhr Yorov*, (EUR 60/7205/2017). 4 October 2017, <https://www.amnesty.org/en/documents/eur60/7205/2017/en/>

*In the line of duty: Harassment, prosecution and imprisonment of lawyers in Tajikistan* (EUR 60/6266/2017), 23 May 2017, <https://www.amnesty.org/en/documents/eur60/6266/2017/en/>

*Tajikistan : Further Information: Lawyers Jailed on Politically Motivated Charges: Buzurgmekhr Yorov and Nuriddin Makhamov*, (EUR 60/4973/2016), 12 October 2016, <https://www.amnesty.org/en/documents/eur60/4973/2016/en/>

*Tajikistan: A Year of Secrecy, Growing Fears and Deepening Injustice*, (EUR 60/4855/2016), 16 September 2016, <https://www.amnesty.org/en/documents/eur60/4855/2016/en/>

## Recommendations to the government of Thailand

### *Death Penalty*

- Establish a moratorium on executions, ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and enact legislation abolishing the death penalty.
- Pending full abolition of the death penalty, bring provisions under national legislation in line with international law and standards including by removing the death penalty as punishment for offences that do not meet the threshold of the “most serious crimes”, and ensure that the most rigorous internationally recognized standards for fair trial are respected in capital trials.

### *Emergency Powers and Decrees*

- Repeal Head of NCPO Orders 3/2015; 13/2016 and 23/2017.
- Amend emergency and martial laws to comply with treaty obligations on detention, considering the UN Human Rights Committee’s General Comment 35 on the right to liberty.
- Ensure all measures taken to invoke states of emergency and derogate from rights obligations comply with requirements of notification, legality, necessity, and proportionality, and establish an independent oversight mechanism to monitor and report on measures taken.

- Revise the NHRC Act and ensure the body's mandate and operations meet standards set out in the Paris Principles.

#### *Torture and Enforced Disappearance*

- Promptly ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 9 January 2012, without making any reservation; implement it fully into national law and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties.
- Enact legislation criminalising torture and ill-treatment and enforced disappearance that reflects relevant treaty obligations and proceed to ratify OPCAT.
- Promptly, thoroughly, independently, and effectively investigate all allegations of human rights violations and abuses and bring suspected perpetrators to justice in trials in civilian courts which meet international standards of fairness.
- Ensure individuals whose rights have been violated are informed about progress and results of investigations and provided with an effective remedy and reparation including adequate compensation, restitution, satisfaction and guarantees of non-repetition, including by making the truth public about the fate and whereabouts of victims of enforced disappearances.
- Remove any procedural obstacles to the ability of victims of human rights violations and abuses to seek justice and an effective remedy including by amending the Military Procedure Code.
- Impose legal prohibitions upholding the principle of non-refoulement, ensuring that no one is forcibly transferred or returned to a country or territory where they would be at real risk of irreparable harm.
- Take immediate steps to ratify the first Optional Protocol to the ICCPR, without making any reservations.

#### *Repression of Dissent*

- Immediately and unconditionally drop all criminal proceedings preferred against people solely for peacefully exercising their human rights including their rights to freedom of expression and assembly.
- Issue guidelines to all state bodies on their duty to protect and fulfil the rights to freedom of expression, peaceful assembly and association, fully taking into account the Human Rights Committee's General Comments 34 on freedom of expression and opinion and 37 on freedom of peaceful assembly, including by ensuring no-one is detained for peacefully expressing their human rights.
- Amend guidelines for policing assemblies to reflect international human rights standards and make them accessible to the public.
- Ensure that any restriction on peaceful expression, assembly, and privacy in law strictly meets requirements of legality, necessity and proportionality and make domestic legislation compliant with its international human rights obligations by amending or repealing the CCA, Public Assembly Act, Cybersecurity Act, laws on contempt of court, and Articles 112, 116, 238 and 326 of the Criminal Code.

#### *Human Rights Defenders*

- Draft and enact legal protection against SLAPP cases.

*Refugees*

- Give refugees a legal status and include a definition of refugee in screening procedures that is consistent with international law and allows for individualised assessment procedures and a right of appeal.
- Enforce the prohibition on refoulement in law and practice, ensure that people in need of international protection are not returned to a country where they may be at risk of irreparable harm, and do not transfer anyone to another territory without an assessment of the risk of being returned.
- Institute official disembarkation procedures to ensure individuals arriving by sea are able to seek protection from persecution.
- Amend the Immigration Act to prevent indefinite detention of undocumented refugees and migrants and implement alternatives to detention.

*Climate Crisis and Human Rights*

- Take all feasible steps to the full extent of Thailand's abilities to reduce greenhouse gas emissions in a manner compatible with the 1.5°C target and with its human rights obligations, including ending fossil fuel subsidies by 2025 and developing a plan to phase out fossil fuel use no later than 2050.
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that allow to adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Ensure that economic recovery packages contribute to both reducing emissions and to addressing the inequalities that the Covid-19 pandemic and the climate crisis have exacerbated, including by conducting transparent human rights and environmental impact assessments.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

*Access to Covid-19 diagnostics, treatment and vaccines*

- Support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for COVID-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to COVID-19 health products.
- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

*International Justice and Human Rights Framework*

- Promptly ratify the Rome Statute of the International Criminal Court, signed on 2 October 2000, and implement it fully into national law.
- Ratify the Agreement on the Privileges and Immunities of the International Criminal Court.
- Ratify the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation.
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and its and opt-in to the inquiry and inter-state procedures.

## **Key Amnesty International Documents on Thailand for reference**

*Thailand: Human rights in jeopardy, Submission for the Universal Periodic Review*, 1 June 2021, Index: ASA 39/4238/2021, <https://www.amnesty.org/en/documents/asa39/4238/2021/en/>

*Amnesty International Report 2020/21: The State of the World's Human Rights: Thailand*, (Index: POL 10/3202/2021), p 359, 7 April 2021, <https://www.amnesty.org/en/documents/pol10/3202/2021/en/>

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, <https://www.amnesty.org/en/documents/pol30/3409/2020/en/>

*"They are always watching": Restricting freedom of expression online in Thailand*, (Index: ASA 39/2157/2020), <https://www.amnesty.org/en/documents/asa39/2157/2020/en/>

*"We were just toys to them": Physical, mental and sexual abuse of conscripts in Thailand's military*, (Index: ASA 39/1995/2020), 20 March 2020, <https://www.amnesty.org/en/documents/asa39/1995/2020/en/>

*Thailand: 9-point human rights agenda for election candidates*, (Index: ASA 39/9939/2019), 4 March 2019, <https://www.amnesty.org/en/documents/asa39/9939/2019/en/>

*"Between A Rock and Hard Place", Thailand's Refugee Policies and Violations of the Principle of Non-refoulement* (Index: ASA 39/7031/2017), 28 September 2017, <https://www.amnesty.org/en/documents/asa39/7031/2017/en/>

*"They cannot keep us quiet": The criminalization of activists, human rights defenders and others in Thailand* (Index: ASA 39/5514/2017), 8 February 2017, <https://www.amnesty.org/en/documents/asa39/5514/2017/en/>

*Thailand: Submission to the UN Human Rights Committee* (Index: ASA 39/5624/2017), 7 February 2017, <https://www.amnesty.org/en/documents/ASA39/5624/2017/en/>

*"Make Him Speak by Tomorrow": Torture and Other Ill-Treatment in Thailand* (Index: ASA 39/4747/2016), 28 September 2016, <https://www.amnesty.org/en/documents/asa39/4747/2016/en/>

## Recommendations to the government of Trinidad and Tobago

### *Pushbacks of people in need of international protection*

- Stop pushing people in need of international protection back to countries where they would be at real risk of persecution and could be at danger of human rights violations.
- Begin the process of developing national refugee legislation which enshrines Trinidad and Tobago's international obligations into domestic law, and in the interim implement the existing National Policy on asylum and refugees, as the state accepted to in the previous UPR.
- Engage with civil society and other regional actors, including the UN and IACHR, to find solutions of shared responsibility to providing international protection to asylum seekers.<sup>iv</sup>
- Grant NGOs and other independent monitors access to the Immigration Detention Centre to monitor the human rights situation.
- Refrain from using the Covid-19 pandemic as an excuse to deny access to international protection to those who need it most.
- Stop detaining child migrants and refugees, as detention is never in the best interest of the child; and stop deporting children to situations where they could face ill-treatment or other violations of their human rights.

### *Insufficient protection for women in need of international protection from a range of human rights violations*

- Work with the UNHCR to ensure that migrants, especially women and girls, are screened as asylum seekers, and as potential survivors of trafficking.
- Ensure the range of gender-based violence services available are made accessible for migrant women and put in place a firewall between these services and immigration authorities.
- Work with international partners to scale-up and strengthen protection and reparation available for survivors of trafficking, as accepted by the state in the previous UPR, including by regularizing their migration status and ensuring they have access to work, counselling, and healthcare, including sexual reproductive health services.
- Ensure mechanisms are in place to protect people who report instances of alleged trafficking from retaliation from traffickers, and from state officials who might be complicit in the trafficking.
- Fully involve sex workers, migrants and asylum seekers, and women and LGBTI-led groups in helping to identify victims of trafficking into the sex sector, in designing and implementing screening mechanisms and in supporting inspections for the identification of trafficking victims in workplaces.
- Review the Immigration Act with the view to de-criminalizing irregular entry, in line with international human rights law and standards.
- Review laws which criminalise sex work, with the aim of decriminalizing it.

*Climate Crisis and Human Rights*

- Urgently submit an ambitious Nationally Determined Contribution and take the necessary action to reduce greenhouse gas emissions in line with keeping the temperature rise as low as possible and no higher than 1.5°C and in a manner that advances human rights including by ending fossil fuel subsidies by 2025 and developing a plan to phase out fossil fuel use no later than 2050.
- Ensure that economic recovery packages contribute to both reducing emissions and to addressing the inequalities that the Covid-19 pandemic and the climate crisis have exacerbated, including by conducting transparent human rights and environmental impact assessments.
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that will adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

*Access to Covid-19 diagnostics, treatment and vaccines*

- Continue to support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for Covid-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to Covid-19 health products.
- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

*Death Penalty*

- Pending full abolition of the death penalty, establish an official moratorium on executions and commute all existing death sentences.
- Repeal provisions that allow for the imposition of the death penalty as the mandatory punishment for some offences, in violation of international human rights law and standards.

*International Justice and Human Rights Framework*

- Promptly ratify the International Convention for the Protection of All Persons from Enforced Disappearance without making any reservation; implement it fully into national law and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties.

## Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021

- Ratify the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity.
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and its and opt-in to the inquiry and inter-state procedures.

## Key Amnesty International Documents on Trinidad and Tobago for reference

*Amnesty International Report 2020/21: The State of the World's Human Rights: Trinidad and Tobago* (Index: POL 10/3202/2021), p 359, 7 April 2021, <https://www.amnesty.org/en/documents/pol10/3202/2021/en/>

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*Open letter to Dr Keith Rowley, Prime Minister of Trinidad and Tobago Return of deported children gives your government a second chance*, 25 November 2020, <https://www.amnesty.org/en/documents/amr49/3390/2020/en/>

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'Trinidad and Tobago: Deportation of 165 Venezuelans violates international law', 6 August 2020, [www.amnesty.org/en/latest/news/2020/08/trinidad-tobago-deportation-165-venezuelans-violates-international-law/](http://www.amnesty.org/en/latest/news/2020/08/trinidad-tobago-deportation-165-venezuelans-violates-international-law/)

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## Recommendations to the government of the United Republic of Tanzania

### *National Human rights framework*

- Reinstate Tanzania's declaration under Article 34(6) of the Protocol to the African Charter establishing the African Court on Human and Peoples' Rights to allow individuals and NGOs direct access to the African Court.

## **Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021**

- Repeal or amend all laws that undermine respect for human rights, including, but not limited to the Political Parties Act, NGO Act, the Statistics Act, the Cyber Crime Act, the Media Services Act, Economic and Organised Crime Control Act, Political Parties Act.

### *Right to Peaceful Assembly and Excessive Use of Force by Security Forces*

- Launch a prompt, thorough, independent, and transparent investigations into allegations of unlawful killings and torture of opposition members and supporters following the 2020 election
- Ensure that the exercise of the right to freedom of assembly does not require prior authorisation from the state.

### *Right to Health and pandemic response*

- Ensure that people have access to vital information about the prevalence and spread of Covid-19, as well as how to protect themselves.
- Communicate the threat Covid-19 poses to people's health, the measures to mitigate risks, and information about ongoing response efforts.
- Support C-TAP and promote open and non-exclusive licences (or compulsory licenses, if needed) for Covid-19 health products that include knowledge and technology transfer, with full public disclosure of all terms and conditions, to ensure that the product is available, accessible and affordable to the maximum number of people.
- Assess and make any necessary adjustments to intellectual property laws, policies and practices to ensure that these do not form a barrier to Covid-19 health products.
- Ensure the national allocation of vaccines follows the WHO's Equitable Allocation Framework, prioritises those most at risk, and meets the needs of marginalized groups. Information about the plan should be fully transparent to enable monitoring and follow up by civil society.
- Ensure respect for human rights is front and foremost in any discussions around a possible international pandemic treaty, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and reaffirming the Siracusa Principles.

### *Discrimination against Women and Girls*

- Take steps to allow pregnant girls access to education without discrimination in line with Tanzania's own national and international human rights obligations.

### *Repression of Dissent*

- Ensure that media outlets can operate freely and independently, enjoy freedom of expression, and do their work without fear of reprisals, including through removing all obstacles to the right to freedom of expression and media freedom.
- Repeal or amend the Media Services Act, Cybercrimes Act, Electronic and Postal Communications (Online Content) Regulations to ensure respect for human rights, including the rights to freedom of expression, information, and media freedom.

*Harassment of Human Rights Defenders*

- Publicly commit to ensure that the authorities will allow HRDs and other real or perceived government opponents and critics to freely exercise their human rights including the rights to freedom of expression, association, and peaceful assembly without fear of reprisals.

*Freedom of Association*

- Ensure that the right to defend human rights, including crucially the right to association, is enjoyed by everyone without discrimination, by repealing or amending the NGO Act and the Political Parties Act.

*Arbitrary Arrests and Detentions and Unfair Trials*

- End arbitrary arrests and launch prompt, thorough, independent, and transparent investigations into the conduct of the security forces to ensure that all persons detained solely for political reasons and peacefully exercising their human rights are immediately and unconditionally released.
- Repeal or amend the Economic and Organised Crime Control Act and the Criminal Procedure Act and any laws that contravene Tanzania's constitutional guarantees and internationally recognized right to fair trial.

*Rights of Lesbian, Gay, Bisexual, Transgender, and Intersex People*

- Protect everyone in Tanzania and uphold their human rights without discrimination, including by not initiating programmes or using government agencies to deny LGBTI people of their rights.

*Refugees and Asylum Seekers*

- Refrain from returning anyone, in any manner whatsoever, to a place where they would be at real risk of persecution or other serious human rights violations.
- Ensure that any returns of refugees undertaken are genuinely voluntary and conducted in safety and with dignity in line with international standards.

*Climate Crisis and Human Rights*

- Take all feasible steps to the full extent of Tanzania's abilities to reduce greenhouse gas emissions in a manner compatible with the 1.5°C target and with its human rights obligations, including by ending fossil fuel subsidies by 2025 and developing a plan to phase out fossil fuel use no later than 2050.
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that allow to adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Identify Tanzania's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

*Death Penalty*

- Establish an official moratorium on executions and commute all existing death sentences as first steps towards full abolition of the death penalty

*International Justice and Human Rights Framework*

- Promptly ratify the Agreement on the Privileges and Immunities of the International Criminal Court, signed on 27 January 2004.
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 29 September 2008, without making any reservation; implement it fully into national law and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties.
- Ratify the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity.
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt in to the inquiry and inter-state procedures.
- Ratify the Optional Protocols to the International Covenant on Civil and Political Rights, without making any reservation.

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*Tanzania: Opposition politicians arrested as crackdown escalates ahead of elections*, 24 June 2020, [www.amnesty.org/en/latest/news/2020/06/tanzania-opposition-politicians-arrested-as-crackdown/](http://www.amnesty.org/en/latest/news/2020/06/tanzania-opposition-politicians-arrested-as-crackdown/)

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**Suggested recommendations to States under review in the 39<sup>th</sup> session of the UPR Working Group, 1-12 November 2021**

*Oral statement on the situation of human rights defenders in Africa at the 66th Ordinary Session of the African Commission on Human and Peoples' Rights*, 23 July 2020, [www.amnesty.org/en/documents/afr01/2757/2020/en/](http://www.amnesty.org/en/documents/afr01/2757/2020/en/)

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