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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Comoros

* The annex is being circulated without formal editing, in the languages of submission only.
Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its thirty-second session from 21 January to 1 February 2019. The review of the Comoros was held at the 9th meeting, on 25 January 2019. The delegation of the Comoros was headed by the Minister of Justice and Human Rights, Mohamed Housseini Djamalilaili. At its 14th meeting, held on 29 January 2019, the Working Group adopted the report on the Comoros.

2. On 15 January 2019, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Comoros: Spain, Tunisia and Ukraine.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of the Comoros:

   (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/32/COM/1);

   (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/32/COM/2);

   (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/32/COM/3).

4. A list of questions prepared in advance by Angola, Liechtenstein, Portugal, on behalf of the Group of Friends on national mechanisms for implementation, reporting and follow-up, and the United Kingdom of Great Britain and Northern Ireland was transmitted to the Comoros through the troika. These questions are available on the website of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation of the Comoros emphasized that the Government had taken steps to make human rights a national cause. As a result, the constitutional reform adopted by referendum had demonstrated the commitment of the Comoros in favour of human rights. Indeed, an entire title was devoted to human rights under the revised Constitution, which also made provision for government bodies to be held accountable for violations of rights by public officials in the performance of their duties. The purpose of the reform had been to strengthen the political stability needed to implement socioeconomic projects and organize elections to elective positions. This had created some political tension, which was merely a sign of a vibrant democracy.

6. The Government would be equal to the task of ensuring public order and political security for the effective enjoyment of human rights.

7. Moreover, nearly all the ministries, the Assembly of the Union of the Comoros and civil society organizations had engaged in the consultations that had culminated in the preparation of the report for the universal periodic review.

8. The Government had also adopted legislative measures on the environment by ratifying the Paris Agreement on Climate Change, the Minamata Convention on Mercury and the Statute of the International Renewable Energy Agency. Several environmental laws had been adopted to protect plant species and prohibit the production, marketing and distribution of plastic bags and packaging.

9. At the institutional level, the mandate of the National Human Rights Commission and the composition of the Committee on follow-up to the universal periodic review had
been renewed. The Government was also in the process of identifying appropriate measures to fight corruption.

10. Although three death sentences had been handed down since independence, the Comoros was committed to abolishing the death penalty; a draft Criminal Code had been submitted to the Assembly of the Union of the Comoros for that purpose, but the members had not adopted it. The Government had continued to raise awareness of the issue among the members of the Assembly.

11. Concerning conditions of detention, the Comoros had considered measures such as the conduct of studies for the renovation of the Moroni detention centre, the training of judges in humanitarian law, a law on prisoner rehabilitation and the establishment of a corps of prison officers, and a law on the separation of women and children in detention. The Comoros had also signed an agreement with the International Committee of the Red Cross to guarantee unrestricted access to places of detention. However, detention conditions continued to be a matter of concern, owing to the lack of adequate resources.

12. In the judicial sphere, the Government had drafted a bill on legal aid, which was under consideration in the Assembly of the Union of the Comoros, and a bill to establish a national ombudsperson. At the same time, laws on the Supreme Council of Justice and on the status of judges had been enacted. However, given the serious difficulties experienced in the functioning of the court system, the Government had looked at ways of improving infrastructure and staff training, with the support of the European Union.

13. The Comoros had ratified the main human rights instruments, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

14. In the area of employment and social security, the Comoros had adopted a national youth policy focused on education and skills development, health and well-being, and young people’s empowerment. The process of strengthening the National Agency for Investment Promotion had almost been completed. The Government had set the target of bringing unemployment down to under 10 per cent in the short term by means of more appropriate training programmes for young people. In addition, a bill on the protection of unskilled workers in the Comoros had been submitted to the Assembly.

15. A national social protection policy and action plan had been drawn up in 2014 and, to combat poverty, the Government had developed a national policy on inclusive and sustainable protection. As a result, the poverty rate had fallen from 44.8 per cent in 2004 to 34.2 per cent in 2014.

16. Regarding access to drinking water and food, the Comoros had undertaken water supply projects to benefit rural areas. Moreover, a country programming framework had been adopted to intensify, diversify and commercialize agricultural and livestock production for improved food security. The programme included provisions on soil management.

17. The Comoros had also adopted the Act on the Urban Planning and Housing Code. Regarding access to energy, considerable progress had been made with the implementation of national development strategies that provided for the entire population to have access to energy. The Government had laid stress on the regularity of energy supply and the fact that the Comoros was committed to promoting renewable energy.

18. Concerning the right to health, specific actions had been undertaken, such as the adoption of the Act on universal health-care coverage, the implementation of the national health-care policy and the preparation of two studies, one on the general health insurance scheme and the other on the health map. The Government had also launched a major project to build medical centres, in particular a mother and child centre and a teaching hospital in Moroni. These efforts had resulted in a reduction in child mortality in the Comoros.

19. With regard to the right to education, the Comoros had placed great emphasis on the policy of increasing the availability of education and gradually eliminating illiteracy. All children had guaranteed access to primary school and the primary and preschool enrolment
rates stood at 100 per cent and 19 per cent, respectively. Illiteracy had declined among young people between the ages of 15 and 25. With the support of local NGOs, the Government had established programmes to help reintegrate dropout children into the school system.

20. The Comoros had achieved significant results in the promotion of women’s rights. The Constitution recognized women’s right of access to political office, their right to representation on local and national bodies and the importance of the equitable representation of women and men in public office. The Gender Office had organized awareness-raising campaigns on women’s representation in decision-making positions and had supported agricultural projects set up by women. Women’s platforms had also been set up on such issues as women in politics and women and sustainable development. Moreover, a national strategy to combat violence against women and minors, with an accompanying road map, had been adopted, as had a national gender equality and equity policy and the Act on Violence against Women and Children. In 2017, two helplines had been set up to enable women to report cases of violence. Owing to limited resources, the Comoros had been unable to make permanent shelters available to women, but a local non-governmental organization had set up a reception centre in 2017.

21. Regarding action to combat trafficking in persons, a monitoring group had been set up and the Comoros had ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

22. In the area of children’s rights, the Government had conducted a study on the development of the child protection system and had devised a policy and action plan on the subject.

23. In order to protect the rights of persons with disabilities, the Comoros had ratified the Optional Protocol to the Convention on the Rights of Persons with Disabilities and had enacted a law on the promotion and protection of the rights of persons in that population group.

24. The delegation also indicated that the Comoros had not changed its position on the recommendations noted during the previous universal periodic review. Freedom of belief and conscience was guaranteed for all religious communities and the question of sexual orientation was regarded as a private matter.

25. With regard to new and emerging issues, training courses had been organized to raise awareness among public officials, particularly in the police and army, of the issue of observance of human rights. The Government had also established the National Council for the Press and Audiovisual Media as the regulator in that area.

26. The delegation emphasized the challenges faced by the Comoros in addressing the lack of human and financial resources in its efforts to enhance the protection of human rights. The delegation stated that the support of the international community would be essential in that regard. In particular, the Comoros needed help in developing tools for teaching human rights, training human rights instructors, training judges and lawyers in the application of international standards, establishing a treaty monitoring system, and supporting judicial institutions and the Gender Office.

27. The Comoros also undertook to cooperate with the Office of the United Nations High Commissioner for Human Rights and with the human rights mechanisms, including those of the Human Rights Council.

28. Lastly, the delegation undertook, on behalf of the Government, to receive all the special procedures mandate holders of the Human Rights Council and renewed the acceptance of the mission to the Comoros by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, on mutually convenient dates to be agreed with the Comorian authorities.
B. Interactive dialogue and responses by the State under review

29. During the interactive dialogue, 74 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

30. The Plurinational State of Bolivia welcomed the law on combating violence against women and children and the law on the promotion and protection of the rights of persons with disabilities. It also welcomed the incorporation in the new Constitution of economic and social rights.

31. Botswana welcomed the ratification of the Convention on the Rights of Persons with Disabilities, the adoption of the National Youth Policy, chapter II of the revised Constitution, and the accession in 2017 to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

32. Brazil commended the Comoros for its achievements concerning women’s rights and encouraged it to make further efforts to reduce the gender gap in terms of access to schools in rural areas. It congratulated the Comoros on its ratification of the Convention on the Rights of Persons with Disabilities and its adoption of relevant laws and policies.

33. Cabo Verde welcomed the new Constitution and the action taken to improve access to education, health services and water and energy supplies. It raised concern about the lack of an institutional system to coordinate the reporting on and implementation of recommendations.

34. Canada welcomed the constitutional safeguards on equality before the law and measures to strengthen women’s participation in political life. It regretted the violence associated with the July referendum and the abolition of the Constitutional Court. It urged the Comoros to protect the rule of law and human rights.

35. The Central African Republic noted the participatory process in the preparation of the national report and encouraged the country to follow up on the avenues offered by the report.

36. Chile acknowledged the efforts deployed by the Comoros to promote and protect human rights, including the establishment of the National Human Rights Commission, the inclusion of human rights in the new Constitution and the approach taken to drafting the national report.

37. China welcomed the Strategy for Accelerated Growth and Sustainable Development 2015–2019 and the efforts made by the Comoros to alleviate poverty and protect the rights of women, children and persons with disabilities. It called on the international community to provide the Comoros with constructive assistance.

38. Croatia noted the positive achievements in the education sector, including the Education Transition Plan 2017–2020. It regretted, however, that corporal punishment still existed in legislation and in practice.

39. Cuba noted the actions taken to implement the recommendations from the previous review, particularly the enactment and revision of various laws, and the attention given to environmental issues.

40. Denmark noted that the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment provided for the establishment of tools for the prevention of torture and ill-treatment. Dialogue with the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was also valuable in supporting efforts to prevent torture. The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women was also an important tool for the implementation of that Convention.

41. Djibouti noted the measures taken to implement the recommendations from the previous review, including the ratification of the Convention against Torture. It appreciated the efforts made to strengthen the institutional framework, including the revision of the Constitution in 2018, and the measures taken to uphold the rights of women.
42. Egypt noted that the national report listed significant efforts to promote and protect human rights, and efforts related to the administration of justice, combating impunity and ensuring the rights to work, to social security and to an adequate standard of living, among others.

43. Ethiopia commended the Comoros for its efforts to implement recommendations from the previous review cycle, including the enactment of the 2018 Constitution. It noted the financial and capacity challenges faced by the Comoros in implementing human rights obligations and called on the international community to increase its support.

44. France, while taking note of the progress made, such as the adoption of the law on gender parity and the appointment of members to the National Human Rights Commission, noted the need to improve the human rights situation in the Comoros.

45. Gabon noted the efforts made to implement the recommendations from the previous review cycle and the measures to promote human rights, despite the political context. It welcomed the measures taken to improve the institutional framework and the revision to the Constitution following a referendum in 2018.

46. Georgia commended the Comoros for the measures taken to implement the recommendations from the previous review, including the ratification of some international instruments, and for its efforts to strengthen its legal framework to protect women’s rights and gender equality. It encouraged the Comoros to continue its efforts to report on its implementation of human rights instruments.

47. Germany commended the Comoros for ratifying the Convention on the Rights of Persons with Disabilities, and for permitting the International Committee of the Red Cross and the National Human Rights Commission to access detention facilities. It remained concerned about the human rights situation.

48. Honduras congratulated the Comoros on the progress made since the previous review, including the ratification of the Convention on the Rights of Persons with Disabilities. It noted the laws prohibiting child labour and trafficking in children.

49. Iceland commended the Comoros for the adoption of legislation on combating violence against women, for prioritizing education and for the increase in the number of female civil servants. Iceland was, however, concerned by the limited participation of women in political life.

50. India noted the amendment of the Constitution in 2018 by referendum and other democratic institutional reforms. It also noted the adoption in 2017 of the National Youth Policy and measures to address discrimination against persons with disabilities. It encouraged the Comoros to implement the national strategy on combating violence against women and children.

51. Indonesia noted the amendments to the Constitution to promote human rights. It welcomed the Strategy for Accelerated Growth and Sustainable Development, which was aimed at promoting social well-being.

52. Saudi Arabia commended the Comoros for the steps it had taken in the field of education, including the measures taken to reintegrate children outside the education system into the system and to fight illiteracy.

53. Ireland noted the accession to the Convention against Torture and the appointment of new members to the National Human Rights Commission. It urged the Government to ensure that the Commission received the necessary budgetary resources and operational independence to discharge its mandate in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

54. Italy appreciated the ratification by the Comoros of the Convention against Torture and the Convention on the Rights of Persons with Disabilities.

55. Jordan welcomed the amendments made to legislation and in the regulatory framework. It noted that a number of international instruments had been adopted, and that
plans and strategies had been implemented to improve the human rights situation, in accordance with international standards.

56. Kenya noted that the Comoros had signed or ratified several international instruments, including the Convention against Torture, as it had recommended previously.

57. Kuwait noted the significant progress made in the promotion of human rights and the development of the health, education, environment, energy and infrastructure sectors in order to give effect to the 2030 Agenda for Sustainable Development.

58. Latvia welcomed the measures taken by the Comoros to promote and protect human rights, including the visit to the Comoros of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination.

59. Libya welcomed the measures taken by the Comoros to implement the recommendations made during the second review cycle, including the adoption of the law on combating violence against women and children. It encouraged the Comoros to continue with its efforts.

60. Madagascar welcomed the ratification of the Convention against Torture and the adoption of the laws on universal health coverage, on combating violence against women and children and on the promotion and protection of the rights of persons with disabilities.

61. Malaysia took note of the current challenges caused by the lack of trained healthcare personnel and health facilities. It welcomed the increase in the school enrolment rate for children, particularly girls, and the decrease in the illiteracy rate among young people.

62. Maldives welcomed the ratification of the Convention on the Rights of Persons with Disabilities. It was encouraged by the law on universal health coverage and the adoption in 2017 of the law on the social protection framework.

63. Mali welcomed the development of the Strategy for Accelerated Growth and Sustainable Development. It noted with satisfaction the progress made in the right to health, including the adoption of a national health policy and the adoption of a law on universal health coverage.

64. Mauritania praised the measures taken by the Comoros to implement the recommendations it had accepted from the previous review and welcomed the progress made, in particular regarding the right to a healthy and ecologically sound environment.

65. The Comorian delegation indicated that, under the 2001 Constitution and that of 2009, the President of the Union of the Comoros had the authority to propose constitutional amendments as he saw fit. With the aim of introducing changes to the Constitution, the President had convened the Assembly of the Union of the Comoros during this period. However, some members of the Assembly had refused to take part in the discussion. Those that had taken part in this process had accepted and approved the constitutional amendments.

66. The delegation emphasized that the amended Constitution of 2011 respected all human rights, including those of women and children. It also dealt with issues related to the work of the Human Rights Council.

67. The Government was actively endeavouring to amend its legislation so as to bring it into line with the new Constitution and human rights standards. The Comoros had also undertaken to ratify all the international instruments and efforts had been deployed in that respect.

68. In addition, the Government had taken measures to implement the right to education and social rights and to combat violence against women.

69. With regard to the State Security Court, the Government had initiated discussions to bring its operations into compliance with international standards or to abolish it.

70. Mauritius welcomed the inclusion of human rights in the new Constitution and commended the Comoros for the initiatives it had taken towards sustainable development,
in accordance with the Sustainable Development Goals, particularly concerning environmental protection and access to education and health.

71. Mexico welcomed the progress made by the Comoros since the previous review, including the ratification of the Convention on the Rights of Persons with Disabilities. It commended the Comoros for having revised the Strategy for Accelerated Growth and Sustainable Development in order to include the Sustainable Development Goals.

72. Montenegro welcomed the adoption of the new Constitution and encouraged the Comoros to continue working towards comprehensive promotion and protection of human rights. It noted the State’s poor reporting record and encouraged it to strengthen its cooperation with OHCHR and the United Nations country team.

73. Morocco welcomed the Strategy for Accelerated Growth and Sustainable Development, the wider protection of women guaranteed under the new Constitution, the national strategy to combat violence against women and children, measures to protect the rights of persons with disabilities, and progress in access to education and health.

74. Mozambique welcomed the Constitutional reform of 2018, which had resulted in significant provisions concerning human rights. It commended the Comoros for its ratification of several human rights and related instruments, including the Paris Agreement on climate change and the Minamata Convention on Mercury.

75. Namibia welcomed the revision of the Constitution in 2018, the development of the Strategy for Accelerated Growth and Sustainable Development and the national health policy 2015–2024. It urged development partners to continue assisting the Comoros.

76. The Netherlands commended the Comoros for the improvements it had made in the electoral process, but remained concerned about limitations to fundamental freedoms. It was particularly concerned about the lack of women’s participation in public and political life, and about the rights of lesbian, gay, bisexual, transgender and intersex persons.

77. Nigeria was encouraged by the measures adopted by the Comoros to protect the rights of women and children. It commended the Comoros for ensuring the provision of quality health-care services and for its efforts to ensure the enjoyment of the right to education.

78. Oman applauded the efforts of the Comoros to develop the national framework for human rights, in particular the law on combating violence against women and children and the law on the promotion and protection of the rights of persons with disabilities.

79. The Philippines was pleased to note that the revised Constitution included a stronger emphasis on the promotion and protection of human rights. It commended the Comoros for adopting the Strategy for Accelerated Growth and Sustainable Development, which integrated a solid framework for environmental protection and climate change.

80. Portugal commended the Comoros for its adoption of a national strategy to combat violence against women and children, its development of educational programmes to eradicate illiteracy and its increasing efforts to prevent HIV/AIDS.

81. Qatar noted the measures taken to implement the recommendations received by the Comoros during the previous review, including the ratification of the Convention on the Rights of Persons with Disabilities. It appreciated the adoption of the Strategy for Accelerated Growth and Sustainable Development and the strengthening of the education system.

82. Rwanda commended the Comoros for its efforts to promote and protect human rights in a challenging security and socioeconomic context and welcomed the positive steps to implement the recommendations received at its previous universal periodic review.

84. Senegal acknowledged the efforts of the Comoros to improve its human rights situation, as demonstrated by the revision of the Constitution in 2018, which included a chapter on human rights. It welcomed the legislative and institutional efforts made in order to implement the recommendations received during the previous universal periodic review.


86. Slovenia noted the ratification of international instruments by the Comoros, such as the Convention on the Rights of Persons with Disabilities and several International Labour Organization (ILO) conventions. Slovenia was concerned by the persistence of sexual violence, sexual harassment and child marriage.

87. South Africa welcomed the fact that, since the country’s transition to democracy, including in its revised Constitution of July 2018, the Comoros had on various occasions proclaimed its commitment to the universal principles of promoting, protecting and respecting human rights.

88. Spain commended the Comoros for the legislation it had adopted recently, including the law on combating violence against women and children, the law on the promotion and protection of the rights of persons with disabilities and the law on combating child labour.

89. The State of Palestine commended the Comoros for its commitment to promoting and protecting human rights in the country, welcomed the measures it had taken to improve education, including the interim plan for 2013–2015, and hailed the efforts it had made in the health sector.

90. The Sudan welcomed the efforts the Comoros had made to protect and promote human rights. It applauded the ratification of a number of relevant international instruments, such as the Paris Agreement on climate change, noting that the environment was a major component of human rights promotion.

91. Togo welcomed the ratification by the Comoros of several treaties and its adoption of legislation to promote and protect the rights of women, children and persons with disabilities. It was, however, concerned at the absence of an institutional system to follow up on recommendations made by international human rights mechanisms.

92. Tunisia expressed appreciation for the legislation the Comoros had adopted since the previous review cycle to support the legislative and institutional human rights framework. It welcomed the 2018 constitutional amendment and the State’s accession to the Convention against Torture.

93. Turkey welcomed the efforts the Comoros had made to promote and protect human rights. It encouraged the Government to take steps with a view to improving school attendance rates and to strive to ensure equal access to education.

94. Ukraine welcomed the accession of the Comoros to several human rights treaties, its efforts to introduce educational programmes and a national youth policy, to improve health-care services and to eradicate illiteracy. It urged the Government and the opposition to resume a dialogue on the constitutional process and on upholding the rule of law.

95. The United Arab Emirates noted with satisfaction the importance attached to women’s rights and empowerment, which was an excellent step towards gender equality. Such efforts should be further enhanced.

96. The United Kingdom of Great Britain and Northern Ireland praised the ratification of several human rights treaties and urged the Comoros to accede to the Optional Protocol to the Convention against Torture. It was concerned about restrictions on media freedom and regretted that the death penalty had not been abolished.

97. The United States of America expressed concern at the attempt to proceed with elections in early 2019, the reports of arrests and detention of opposition leaders and the fact that no effective steps had been taken to date to combat human trafficking, particularly forced child labour.
98. Uruguay welcomed the ratification of the Convention against Torture and the Convention on the Rights of Persons with Disabilities and the fact that the new Constitution included an entire chapter on human rights. It encouraged the Comoros to continue working in a similar vein.

99. The Bolivarian Republic of Venezuela noted that the new Constitution was highly innovative and appreciated the measures the Comoros had taken to extend access to education and health services, to train teachers for primary and secondary schools and to introduce universal health coverage and general health insurance.

100. Yemen noted that the Comoros had taken important measures in legislation and development, despite the challenges in the area of human rights. It welcomed the achievements in education, health, the empowerment of women and youth and the fact that the new Constitution was focused on human rights.

101. Zimbabwe praised the Comoros for the adoption of the Strategy for Accelerated Growth and Sustainable Development 2018–2021, which included extended access to quality education and health, decent work, social protection, water and sanitation.

102. Albania commended the Comoros for the steps it had taken to strengthen human rights, including its accession to the Convention against Torture. It urged the Comoros to intensify its efforts to combat discrimination and violence against women and children.

103. Algeria welcomed the adoption of the law on combating violence against women and children and the law on the promotion and protection of the rights of persons with disabilities. It applauded the ratification of the Convention on the Rights of Persons with Disabilities and the ILO conventions.

104. Angola noted the efforts made by the Comoros to strengthen cooperation with the human rights mechanisms at a time when the stability of State institutions had faced some difficulties. It encouraged the Comoros to comply with its international obligations.

105. Argentina welcomed the presentation of the report of the Comoros and congratulated the Comoros on its ratification of the Convention on the Rights of Persons with Disabilities.

106. Armenia acknowledged the revision of the Constitution in July 2018, the Strategy for Accelerated Growth and Sustainable Development 2015–2019 and measures to promote the right to health and combat violence against women and children. It was, however, concerned by the low quality of health services.

107. Australia welcomed the establishment of the National Human Rights Commission and urged the Comoros to ensure the compliance of the Commission with the Paris Principles. Australia was concerned by reports of limitations on freedom of expression and assembly, of long periods of detention and poor prison conditions in the Comoros.

108. Benin noted with satisfaction that the Comoros had acceded to several international human rights instruments. It welcomed the legislative and institutional reforms adopted by the Comoros, particularly regarding the access of women to different public positions, to justice and to health services.

109. The Comorian delegation stated that there were no political prisoners in the Comoros and that no one had been detained or arrested by reason of the exercise of their freedom of expression, which was guaranteed by law and in practice. However, the Criminal Code stipulated that certain types of statement were punishable. For that reason, some individuals could be brought before the courts. According to the delegation, the persons who were incarcerated had committed serious offences and their detention was unrelated to their political convictions. In the case of attacks against public officials or attempted coups, the Government was obliged to bring those responsible to justice. Thus, the State Security Court had handed down decisions for the imprisonment of perpetrators of crimes, and the media had had unrestricted access to the procedure, while ordinary citizens had been able to follow the hearings outside the court, in particular via the Internet. In addition, the accused had exercised their right to legal aid and the court proceedings had been transparent.
110. The Constitutional Court, for its part, had not been abolished, but its structure had been changed. Previously, the Court had been composed of non-professional judges, appointed by different public bodies. It was currently made up of competent and experienced judges and was based in the Supreme Court.

111. Regarding early marriage, the Family Code had formally prohibited marriage before the age of majority, which was set at 18 years. Moreover, the law on marriage had made it obligatory for marriages to be performed by a judge.

112. With regard to the constitutional reform, the delegation recalled that the reform had been preceded by a national conference open to the general public. Moreover, the proceedings of the conference had been published.

113. Freedom of assembly and association, the right to hold peaceful demonstrations, and freedom of the press were guaranteed. The Comoros was the top-ranked country for press freedom in the Arab world.

114. On the basis of all the recommendations received, the Government had endeavoured to consolidate its social policy in favour of children, women and persons with disabilities. Parents and schoolteachers did not administer corporal punishment, which remained an exceptional phenomenon.

115. Trafficking in persons was not a major challenge for the Comoros given its status as an island group. However, the international spotlight placed on this issue had led the Comoros to look at it more closely.

116. The Comoros took note of the relevant recommendations it had received and attached particular importance to following up on those recommendations.

117. Lastly, the head of the delegation thanked all the delegations for their support and encouragement.

II. Conclusions and/or recommendations

118. The recommendations formulated during the interactive dialogue/listed below have been examined by the Comoros and enjoy the support of the Comoros:

118.1 Ratify the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (Cabo Verde) (Canada) (Iceland) (Mauritius) (Spain) (Ukraine) (United Kingdom of Great Britain and Northern Ireland); Ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which the Comoros signed in 2008 (Italy); Become a party to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Seychelles);

118.2 Continue to strengthen the legal framework for the promotion and protection of human rights by ratifying the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (Ireland);

118.3 Consider completing the ratification processes relating to the International Covenant on Civil and Political Rights as well as the International Covenant on Economic, Social and Cultural Rights (Kenya);

118.4 Speed up the ratification of pending human rights instruments, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Chile);

118.5 Take the necessary steps to conclude the ratification process of the International Covenant on Civil and Political Rights, and ensure its full implementation (Brazil);

118.6 Ratify the International Covenant on Civil and Political Rights (Slovenia);
118.7 Adopt the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);

118.8 Consider the possibility of ratifying the International Covenant on Economic, Cultural and Social Rights (Tunisia);

118.9 Formally abolish the death penalty and accede to the International Covenant on Civil and Political Rights and its Second Optional Protocol (Australia);

118.10 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Croatia) (Germany);

118.11 Adopt a de jure moratorium on the death penalty and sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal);

118.12 Abolish the death penalty and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay);

118.13 Adopt a new criminal code which provides for the abolition of the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Albania);

118.14 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Benin) (Denmark) (Iceland) (Spain) (Ukraine);

118.15 Ratify the Optional Protocol to Convention on the Elimination of All Forms of Discrimination against Women (Denmark);

118.16 Ratify the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Discrimination against Women (Botswana);

118.17 Step up efforts to eliminate all forms of discrimination and violence against women and consider ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Uruguay);

118.18 Adhere to international legal instruments to which this country is not yet party, especially the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Gabon);

118.19 Consider taking steps towards ratification of more core human rights conventions, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);

118.20 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Benin);

118.21 Ratify the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization (Ukraine);

118.22 Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Albania);

118.23 Approve the bill in the National Assembly to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and consider ratifying the ILO Protocol of 2014 to the Forced Labour Convention, 1930 (United Kingdom of Great Britain and Northern Ireland);

118.24 Continue efforts to ratify international instruments (Morocco);
118.25 Establish an institutional system to follow up on recommendations of human rights mechanisms and bodies (Mexico);

118.26 Ratify the International Covenant on Civil and Political Rights (Montenegro);

118.27 Take further measures to live up to the commitment to the international human rights mechanisms (Iraq);

118.28 Continue efforts to implement the recommendations of the previous universal periodic review cycle (Sudan);

118.29 Strengthen cooperation with United Nations human rights mechanisms and consider extending a standing invitation to all United Nations special procedures (Georgia);

118.30 Consider the extension of a standing invitation to all special procedure mandate holders of the Human Rights Council (Latvia);

118.31 Set up a national mechanism on reporting and follow-up, as well as a national body to coordinate the reports on human rights and the Sustainable Development Goals in a comprehensive manner (Cabo Verde);

118.32 Request technical assistance from relevant mechanisms to strengthen the country’s capacity under the first three Sustainable Development Goals (Angola);

118.33 Enhance partnerships with international donors in view of technical and financial assistance (Togo);

118.34 Provide adequate human and financial resources to the institutions responsible for follow-up to the recommendations and other shortcomings (Kenya);

118.35 Strengthen institutions for the promotion and protection of human rights (Botswana);

118.36 Establish a plan on human rights recommendations aligned with the Sustainable Development Goals which incorporates all accepted recommendations (Cabo Verde);

118.37 Use the third cycle recommendations to generate data that can support both the implementation of the Sustainable Development Goals and the improvement of human rights (Cabo Verde);

118.38 Strengthen the National Commission for Human Rights and Freedoms to operate and monitor international commitments (Indonesia);

118.39 Pursue efforts to ensure the proper functioning and full independence of the National Commission for Human Rights and Freedoms, in accordance with the Paris Principles (Djibouti);

118.40 Accelerate efforts for the re-establishment of the National Commission for Human Rights and Freedoms, ensuring its independence and autonomy in accordance with the Paris Principles (Mexico);

118.41 Strengthen efforts to restore the National Commission for Human Rights and Freedoms (Namibia);

118.42 Ensure the compliance of the National Human Rights Commission’s work with the Paris Principles (Qatar);

118.43 Take concrete measures to establish a national human rights commission in line with the Paris Principles (Rwanda);

118.44 Speed up the process of appointing the members of the National Commission for Human Rights and Freedoms and provide this structure with adequate financial means (Senegal);
118.45 Enable the National Human Rights Commission to fulfil its role (Sudan);

118.46 Appoint new members and take the necessary steps to ensure the effective functioning of the National Commission for Human Rights and Freedoms (Togo);

118.47 Continue its efforts to activate the role of the National Human Rights Commission (Yemen);

118.48 Make the necessary arrangements for the National Human Rights Commission to hold its inaugural meeting and to benefit from the means necessary for its regular operation (France);

118.49 Keep mobilizing resources and seek the necessary international support to enhance its capacity to protect and promote human rights (Nigeria);

118.50 Adopt measures in order to eliminate all forms of discrimination (Brazil);

118.51 Take specific measures to ensure freedom of religion and belief by prohibiting the implementation of discriminatory administrative measures against the practice of minority religions (Angola);

118.52 Harmonize the legislation on freedom of religion with international standards and put an end to all forms of reprisals against religious minorities (Mexico);

118.53 Allow opposition groups and persons belonging to religious minorities to exercise, without any limitations, their right to peaceful assembly (Netherlands);

118.54 Implement measures in the area of climate change and related disaster risk reduction, ensuring a human rights-based approach, the incorporation of a gender perspective and the prioritization of vulnerable groups (Chile);

118.55 Continue to implement national development plans, promote sustainable economic and social development and improve people’s living standard (China);

118.56 Intensify its efforts in engaging stakeholders and the public in policy discussions and programmes on climate change and disaster risk reduction and management (Philippines);

118.57 Abolish the death penalty (Cabo Verde);

118.58 Establish a moratorium on executions with a view to the abolition of the death penalty and, in the short term, reduce the number of offences punishable by the death penalty (France);

118.59 Step up efforts to improve the penitentiary infrastructure and prison conditions to bring them into line with international standards (Mauritius);

118.60 Abolish the death penalty (Montenegro);

118.61 Accelerate the process that will lead to the abolition of the death penalty (Mozambique);

118.62 Take further measures to prohibit all forms of slavery and provide further psychological support to victims of trafficking in persons (Oman);

118.63 Take concrete measures to introduce a de jure moratorium on the use of the death penalty with a view to its total abolition (Rwanda);

118.64 Continue its endeavours in working towards the abolition of the death penalty (South Africa);
118.65 Continue its policy of not implementing the death penalty, reform its legislation by reducing the number of criminal offences liable to the death penalty, and continue the internal debate with a view to the complete abolition of the death penalty (Spain);

118.66 Investigate and put an end to any cases of arbitrary detention and torture, including those against members of the opposition (Spain);

118.67 Consider abolishing the death penalty (Ukraine);

118.68 Respect laws which prohibit arbitrary detention and guarantee a fair trial without undue delay, and ensure the right to appeal (United States of America);

118.69 Review the rights of detainees to ensure they meet international standards (Australia);

118.70 Improve detention conditions, in particular regarding food and sanitation (Central African Republic);

118.71 Improve conditions in prisons such as on detention, administration and the independence of monitoring mechanisms (Kenya);

118.72 Mobilize resources to improve the prison system in general, and detention conditions in particular (Ethiopia);

118.73 Continue holding training courses for the police and army officers on human rights concepts (Jordan);

118.74 Bring all detention facilities into compliance with the international standards in force in this area (Mali);

118.75 Improve the prison conditions of women and children in the country (United Arab Emirates);

118.76 Streamline existing training courses to raise awareness of human rights among public officials and the population at large (Zimbabwe);

118.77 Take legislative and regulatory provisions to ensure that the Constitutional Section of the Supreme Court is able to fulfil its functions, and to ensure its independence, particularly with regard to its electoral jurisdiction (France);

118.78 Identify alternatives to the State Security Court, in consultation with all relevant actors, in accordance with the rights of the defence (France);

118.79 Provide training for judges and lawyers on international standards on criminal justice (Jordan);

118.80 Continue to make effective contributions to the fight against corruption and continue to improve access to and the effectiveness of public justice services (Libya);

118.81 Restore the Constitutional Court with all the functions that were granted to it by the legal system, and urgently appoint the judges necessary for its proper operation (Mexico);

118.82 Conduct various campaigns to overcome obstacles to the consolidation of the rule of law (Iraq);

118.83 Take effective steps to combat corruption and improve transparency in relation to public activities (Spain);

118.84 Adopt the measures necessary for the strengthening of democracy and the rule of law, in order to allow the normal functioning of the State in accordance with the articles 2 and 3 of the International Covenant on Civil and Political Rights (Angola);
118.85 Conduct a justice reform to ensure that all citizens have access to the justice system (Ukraine);

118.86 Ensure an inclusive consultation on the constitutional reform, and authorize demonstrations or peaceful assemblies and the existence of an open media, without any fear of arbitrary or violent arrests (Canada);

118.87 Reinforce parity between men and women, particularly in access to registered and elective positions, and take the necessary steps to ensure that the law of 22 June 2017 can be applied in the forthcoming elections (France);

118.88 Provide support to the work of the National Council for the Press and Audiovisual Media (Indonesia);

118.89 Protect and promote freedom of expression, association and peaceful assembly in order to create a safe environment favourable to national political life (Italy);

118.90 Refrain from censorship of the press and allow journalists to carry out their work without fear of repercussions (Netherlands);

118.91 Guarantee freedom of assembly, especially with regard to the legitimate activity of political parties, as well as freedom of speech and worship (Spain);

118.92 Address restrictions on media freedom by establishing robust mechanisms to ensure greater pluralism of views in mainstream and online media (United Kingdom of Great Britain and Northern Ireland);

118.93 Abide by the country’s Constitution and existing laws governing elections (United States of America);

118.94 Respect and protect democratic freedoms, uphold democratic principles, including the rule of law, and refrain from escalating existing political tensions, including in the run-up to and conduct of proposed elections (Australia);

118.95 Scale up efforts to eradicate trafficking in persons (Central African Republic);

118.96 Continue efforts to combat trafficking in human beings, especially the exploitation of women and children, by further strengthening the fight against traffickers (Djibouti);

118.97 Ensure that the national law on the elimination of trafficking in persons complies with international legal standards (Madagascar);

118.98 Continue efforts to strengthen the right to work (Egypt);

118.99 Continue efforts to promote gender equality and equal opportunities in employment and decision-making (Tunisia);

118.100 Continue efforts to promote decent work, social protection of youth and sport (Saudi Arabia);

118.101 Ensure the full implementation of economic, social and cultural rights, as entailed in the 2018 Constitution, and ensure their justiciability (South Africa);

118.102 Continue developing actions to achieve greater progress in reducing poverty (Cuba);

118.103 Continue working on the improvement of health and education services, for a better standard of living for its population, the reduction of infant mortality, and the increase of school enrolment rates (Cuba);

118.104 Improve prison conditions, inter alia, by ensuring basic living conditions, namely food, medical support, access to drinking water and sanitation, and by taking measures against overcrowding of prisons.
Furthermore, ensure that the maximum period of four months for pretrial detention prescribed by law is not exceeded and that juveniles and adults are accommodated in separate detention facilities (Germany);

118.105 Continue efforts aimed at facilitating access to water (Mauritania);

118.106 Continue to strengthen social policies and human rights policies to increase the quality of life of its people, particularly the most vulnerable sectors (Bolivarian Republic of Venezuela);

118.107 Continue with the programme framework for the period 2014–2019 prioritizing intensification, diversification and commercialization of products of the agricultural and livestock sector to improve food security (Plurinational State of Bolivia);

118.108 Continue to promote medical and health services to better ensure the people’s right to health (China);

118.109 Complete the study on the establishment of universal health-care coverage (Gabon);

118.110 Continue its approach and work towards strengthening vital sectors of human rights, in order to achieve the goals of the 2030 Agenda for Sustainable Development (Kuwait);

118.111 Ensure that long-term and sustainable funding is allocated for the health-care sector to improve and guarantee wide coverage of health-care services for all (Malaysia);

118.112 Take steps to guarantee free and qualified health services for all (Armenia);

118.113 Support measures to reduce the costs of reproductive health care (Slovenia);

118.114 Continue its efforts in the health sector by implementing all policies and strategies ensuring that women have equal access to all public facilities and services and by raising the quality of health services (State of Palestine);

118.115 Continue efforts to introduce health services for all (Algeria);

118.116 Continue to promote the rights to health and food and increase access to education opportunities, including university education (Saudi Arabia);

118.117 Initiate gender-neutral policies relating to access to education, health and social services (India);

118.118 Intensify efforts to increase the school attendance rate and reduce the dropout rate, especially among girls (Iceland);

118.119 Give priority to tackling illiteracy (Turkey);

118.120 Enhance the quality of teaching and give adequate training to teachers (India);

118.121 Continue to develop tools for teaching human rights from the first year of school in the Comoros (Indonesia);

118.122 Continue its efforts to improve access to quality education, increase enrolment and promote the retention of students in schools (Malaysia);

118.123 Continue promoting education and ensure equal educational opportunities (Oman);

118.124 Take measures to ensure that children from poor families and disadvantaged backgrounds are not discriminated against concerning access to education (Portugal);
118.125 Continue the envisaged improvements in the education sector, to improve education and promote schooling with the aim of increasing literacy rates (South Africa);

118.126 Put in place legislative and administrative measures to ensure that primary education is free and compulsory for all, while adopting an inclusive approach covering all genders, children from urban and rural areas and children with disabilities (Seychelles);

118.127 Continue its efforts with regard to improving education, including the interim plan for the period 2013–2015, and adopt policies to enhance inclusion in education for girls, children with disabilities and children from rural areas (State of Palestine);

118.128 Strengthen efforts to ensure access to education by adopting policies aimed at improving access to education for girls and boys with disabilities, and girls and boys from rural or low-income backgrounds (Argentina);

118.129 Strengthen the mechanism for preventing violence against women and children (France);

118.130 Continue efforts to combat all forms of violence against women and girls (Georgia);

118.131 Amend national laws to effectively combat violence and discrimination against women (Germany);

118.132 Ensure that victims of violence, particularly sexual and domestic violence, have access to justice and establish special facilities to provide medical, psychological, legal and financial support to them (Germany);

118.133 Redouble its efforts to prevent and combat acts of violence against women and girls, including domestic violence (Honduras);

118.134 Continue implementing national legislation to prevent gender-based violence (India);

118.135 Take further measures to protect and promote the rights of women and children in order to combat all forms of violence and discrimination, including harmful practices and child labour (Italy);

118.136 Strengthen the measures taken to combat violence against women and child abuse so that the perpetrators of these acts are sanctioned and punished by law (Madagascar);

118.137 Strengthen measures aimed at addressing violence against women and girls, including child marriages (Namibia);

118.138 Redouble its efforts to ensure comprehensive measures to address violence against women and children and strengthen victim protection (Philippines);

118.139 Continue strengthening the protection of women against all forms of violence (Senegal);

118.140 Intensify efforts to combat sexual violence and harmful practices against women (Togo);

118.141 Continue efforts to combat violence against women and domestic violence, and take the necessary measures to provide protection to victims (Tunisia);

118.142 Enact legislation aimed at preventing and combating violence against women and domestic violence (Ukraine);

118.143 Strengthen active participation in and promotion of activities that generate income for women (Plurinational State of Bolivia);
118.144 Take all necessary measures to enable Comorian women to pass on their nationality to their foreign spouses (Central African Republic);

118.145 Continue efforts to strengthen women’s rights (Egypt);

118.146 Step up the efforts for the participation of women in political and public life and their representation in decision-making bodies (Ethiopia);

118.147 Continue efforts aimed at guaranteeing fair and equitable representation between women and men in the composition of the Government, avoiding discrimination on the basis of gender (Honduras);

118.148 Adopt concrete measures to promote women’s full and equal participation in political and public life and accelerate women’s full and equal participation in elected and appointed bodies (Iceland);

118.149 Continue efforts to combat violence and discrimination against women and awareness campaigns on promoting their inclusion in decision-making bodies (Morocco);

118.150 Continue to improve the rights of women and gender promotion, as envisaged in the Constitution (South Africa);

118.151 Raise the participation rate of women in political life, enabling women to have access to decision-making processes (United Arab Emirates);

118.152 Further continue efforts towards a better promotion of gender equality (Armenia);

118.153 Take the necessary measures to modify its national legislation so that men and women may enjoy the same rights in terms of transmitting nationality (Argentina);

118.154 Amend legislation to enable Comorian women to enjoy equal rights to pass on their Comorian nationality to non-Comorian spouses (Iceland);

118.155 Reform the necessary laws in order to ensure that men and women can transmit their nationality on an equal footing (Mexico);

118.156 Sustain its efforts in upholding the human rights of its people, especially women and children (Nigeria);

118.157 Continue efforts to combat child labour (Maldives);

118.158 Continue to strengthen measures to end child marriage (Maldives);

118.159 Efficiently support measures to end child, early and forced marriages by 2030 (Slovenia);

118.160 Take the necessary measures to ensure the right of children to life and to create a propitious environment for the survival and development of children, to the extent possible (Algeria);

118.161 Adopt measures to improve access for persons with disabilities to education (Qatar);

118.162 Strengthen the protection of the rights of vulnerable groups such as women, children and persons with disabilities (Zimbabwe);

118.163 Ratify the 1954 Convention relating to the Status of Stateless Persons (Kenya).

119. The response of the Comoros to the following recommendations will be included in the outcome report adopted by the Human Rights Council at its forty-first session:

119.1 Amend the revised Criminal Code to formally abolish the death penalty for all crimes, and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ireland);
119.2 Strengthen measures to eradicate all violence and discrimination, in particular against women, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons, and to protect their rights (Chile);

119.3 Repeal all provisions giving rise to discrimination based on sexual orientation or gender identity (Iceland);

119.4 Initiate an internal debate on the decriminalization of sexual relations between persons of the same sex (Spain);

119.5 Decriminalize same-sex relationships between consenting adults and implement policies to address inequality, violence and discrimination based on sexual orientation and gender identity (Australia);

119.6 Adopt the necessary measures in the legislative sphere to combat discrimination in all its forms, including based on gender, disability, geographical social origin and sexual orientation (Honduras);

119.7 Put in place measures to better protect people of all religions and beliefs and allow them to practise their faith openly without any risk of discrimination (Canada);

119.8 Intensify efforts to ensure full respect for freedom of religion or belief (Italy);

119.9 Enact legislation to explicitly prohibit corporal punishment of children in all settings, including at school and at home (Chile);

119.10 Enact legislation which explicitly prohibits corporal punishment of children in all settings, including in the home, and repeal all legal defences for its use (Croatia);

119.11 Take further steps towards eliminating corporal punishment for children in all settings (Namibia);

119.12 Enforce labour laws and implement programmes to eliminate trafficking in persons, including forced child labour (United States of America);

119.13 Prohibit explicitly corporal punishment of children in all environments of society, including at home, and also repeal all legal exemptions which authorize its use (Uruguay);

119.14 Strengthen the implementation of legislation and policies aimed at ending harmful traditional practices, in particular child, early and forced marriages and female genital mutilation (Rwanda).

120. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

III. Voluntary pledges and commitments

121. The Comoros undertakes to receive all the special procedures mandate holders of the Human Rights Council and renews the acceptance of the mission to the Comoros by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, on mutually convenient dates to be agreed with the Comorian authorities.
Annex

Composition of the delegation

The delegation of the Comoros was headed by S.E. M. Mohamed Housseini Djamalilaili, Minister of Justice and Human Rights and composed of the following members:

- Mr Sultan Chouzour, Ambassadeur auprès de l’ONU et des autres Organisations Internationales à Genève;
- Mr Mohamed Ahmed Assoumani, Secrétaire Général du Ministère des Affaires Etrangères;
- Mr Kassim Moegni, Délégué aux droits de l’homme au Ministère de la justice;
- Maitre Azad Mzé, juriste, consultant national;
- Mme Sittou Raghadat, membre de la CNDHL;
- Madame Mariata Moussa, Journaliste, membre de la Commission Nationale des droits de l’homme et des libertés.