

Responses to Recommendations

Mauritius

Session 31

Review in the Working Group: 9 November 2018
Adoption in the Plenary: 27 December 2018

Monaco's responses to recommendations:

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
Supported: 0 Noted: 0 Pending: 176 Total: 176	Out of the 176 recs left pending, 133 were accepted, 43 noted	No Additional Information provided	Accepted: 133 Noted: 43 Total: 176

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/40/9:

115. The following recommendations will be examined by Mauritius, which will provide responses in due time, but no later than the fortieth session of the Human Rights Council:

N - 115.1 Ratify the core United Nations human rights treaties to which it is not yet a party (Lesotho);

N - 115.2 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Belgium) (Chile) (Germany) (Montenegro) (Portugal) (Togo);

N - 115.3 Adhere to and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay);

N - 115.4 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights with a view to definitely abolishing the death penalty (Spain);

N - 115.5 Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights to prevent reintroduction of the death penalty (Australia);



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N - 115.6 Ratify or accede to human rights instruments to which it is not yet a party, particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; and the Convention relating to the Status of Refugees and its 1967 Protocol (Honduras);

N - 115.7 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Portugal);

N - 115.8 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);

N - 115.9 Accede to the 1951 Convention relating to the Status of Refugees and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Brazil);

S - 115.10 Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Chile);

N - 115.11 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Chile);

N - 115.12 Consider ratification of major human rights instruments and their optional protocols, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);

N - 115.13 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Montenegro);

S - 115.14 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Comoros);

S - 115.15 Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Gabon);

N - 115.16 Withdraw reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Denmark);

S - 115.17 Ratify the Convention on the Prevention and Punishment of the Crime of Genocide to increase conformity to its international obligations (Burundi);

S - 115.18 Consider ratifying the Convention on the Prevention and Punishment of the Crime of Genocide (Rwanda);

S - 115.19 Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);

N - 115.20 Ratify the 1951 Convention relating to the Status of Refugees (Senegal);

N - 115.21 Ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (Germany);

N - 115.22 Accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (Kenya);

N - 115.23 Adhere to and implement the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness, taking additional measures to facilitate late registration of births (Chile);



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N - 115.24 Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Côte d'Ivoire);

N - 115.25 Consider the ratification of the international conventions relating to refugees and statelessness to fill the existing legal void (Niger);

N - 115.26 Ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization (Denmark);

S - 115.27 Consider ratifying international instruments to which Mauritius is not a party, particularly all of the conventions and protocols of the African Union (Djibouti);

S - 115.28 Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa (Comoros);

N - 115.29 Consider signing the Southern African Development Community Protocol on Gender and Development (Namibia);

S - 115.30 Make efforts to fulfil its international obligations by submitting the two national reports with regard to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Iraq);

N - 115.31 Consider issuing a standing invitation to all special procedures of the Human Rights Council (Botswana);

N - 115.32 Consider the extension of a standing invitation to all special procedure mandate holders of the Human Rights Council (Latvia);

N - 115.33 Consider issuing a standing invitation to the human rights special procedures, while noting Mauritius' exemplary cooperation with the United Nations human rights mechanisms (Rwanda);

N - 115.34 Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);

S - 115.35 Continue to mobilize resources and seek necessary international assistance to enhance its capacity in upholding the human rights of its people (Nigeria);

S - 115.36 Strengthen the independence and funding of the National Human Rights Commission (France);

S - 115.37 Provide the Office of the Ombudsperson with adequate resources to enable it to carry out its mandate effectively (Ghana);

S - 115.38 Strengthen the implementation of policies and measures relating to democracy, the rule of law and good governance, to ensure the independence and healthy development of State institutions (Angola);

S - 115.39 Take appropriate measures to popularize international human rights law in the whole country (Togo);

N - 115.40 Adopt comprehensive legislation to prevent and combat discrimination against all marginalized groups on any grounds, including gender and sexual orientation, which includes positive actions for their advancement (Honduras);

N - 115.41 Step up its efforts to combat all forms of discrimination, in particular against women and persons with disabilities, and discrimination based on sexual orientation and gender identity (Italy);

N - 115.42 Continue to combat discriminatory practices based on sex, and strengthen measures related to the protection of the family and the child (Algeria);

N - 115.43 Explicitly prohibit discrimination on the grounds of sexual orientation and gender identity and develop awareness campaigns and training programmes to raise awareness about the rights of lesbian, gay, bisexual and transgender persons (Uruguay);

N - 115.44 Take the necessary measures to establish in its national legislation a comprehensive legal framework for adequate and effective protection against discrimination based on sexual orientation (Argentina);

N - 115.45 Ensure better recognition of the rights of lesbian, gay, bisexual, transgender and intersex persons and combat discrimination against them (France);

N -

115.46 Take measures to combat violence based on sexual orientation and gender identity, by guaranteeing freedom of speech and association for lesbian, gay, bisexual, transgender and intersex persons (Brazil);

N - 115.47 Modify section 282 of the Criminal Code by inserting a direct indication that hate crimes motivated by sexual orientation or gender identity will be an aggravating circumstance and punishable by law (Chile);

N - 115.48 Implement policies and programmes to protect lesbian, gay, bisexual, transgender and intersex persons from violence and intimidation, for instance by developing training programmes for police officers, or by including attacks against such persons under section 282 of the Criminal Code Act of 1838 (Netherlands);

N - 115.49 Repeal the sections of its Criminal Code that criminalize same-sex relationships between consenting adults and strengthen efforts to address inequality and discrimination based on sexual orientation and gender identity (Australia);

N - 115.50 Repeal section 250 of the Criminal Code criminalizing homosexual relations between consenting adults (Belgium);

N - 115.51 Repeal section 250 of the Criminal Code Act with a view to decriminalizing same-sex sexual conduct between consenting adults (Canada);

N - 115.52 Repeal section 250 of the Criminal Code, with a view to decriminalizing same-sex conduct between consenting adults, in line with the International Covenant on Civil and Political Rights (Ireland);

N - 115.53 Repeal the criminalization of consensual sexual relations between adults of the same sex (Argentina);

N - 115.54 Repeal all laws that criminalize persons based on their sexual orientation and gender identity (Iceland);

S - 115.55 Take necessary measures to eliminate discrimination and protect the rights of vulnerable groups, including migrant workers (Nepal);

S - 115.56 Continue to provide effective remedies to victims of racial discrimination (South Africa);

S - 115.57 Increase efforts to address social exclusion of older persons and discrimination against minorities (Guyana);



S - 115.58 Continue addressing remaining discriminatory practices and other challenges in order to comply with human rights standards (Mozambique);

S - 115.59 Continue efforts to eliminate discrimination by supporting the Equal Opportunities Commission to execute its mandate (Uganda);

S - 115.60 Continue to take into account the vulnerabilities, needs and views of women, children and persons with disabilities in developing projects, policies or programmes on issues related to climate change and disaster risk management (Fiji);

S - 115.61 Develop policies to mitigate the impact of climate change and other disaster-related challenges on the full enjoyment of the human rights of the vulnerable (Lesotho);

S - 115.62 Continue to take into account in a concrete way the vulnerabilities, needs and viewpoints of marginalized groups when drafting policies or programmes on issues relating to climate change (Haiti);ⁱ

S - 115.63 Ensure that a human rights-based approach is taken when formulating policies and enacting measures on the mitigation of and adaptation to climate change (Seychelles);

S - 115.64 Reinforce human and financial resources for the National Disaster Risk Reduction and Management Council to better adapt to climate change (Senegal);

S - 115.65 Take necessary legislative steps to abolish the death penalty (Ukraine);

S - 115.66 Incorporate the provisions of the Convention against Torture in the domestic legal framework, with a view to absolutely prohibiting torture (Spain);

S - 115.67 Secure an absolute ban on torture in legislation (Ukraine);

S - 115.68 Take effective measures to ensure accountability for abuses perpetrated by police, security forces and other officials (United States of America);

S - 115.69 Take steps to prevent abuse by police and ensure investigations progress in a timely manner (Australia);

S - 115.70 Continue efforts on the Government's proposal for the Police and Criminal Justice Bill so that a law will be drawn up to identify practices to be observed by police officers (Libya);

S - 115.71 Enforce laws penalizing officials for corruption, decreasing instances of impunity for abuses by officials and security forces and reinforcing a climate of accountability (United States of America);

S - 115.72 Intensify efforts aimed at improving detention conditions in prison (Georgia);

S - 115.73 Ensure the conclusion and implementation of its national counterterrorism strategy, which is currently being prepared (Nigeria);

S - 115.74 Enhance efforts to fight against corruption (Ethiopia);

S - 115.75 Continue to take necessary steps to further improve transparency and accountability in its financial sector, with a view to eliminating loopholes, if any, that may contribute to illicit financial flows (Haiti);ⁱⁱ



S - 115.76 Ensure fair and equitable representation of different population groups in public and political affairs in the context of the new electoral system, with their full participation, with a view to removing obstacles linked to the political representation of certain groups (Haiti);

S - 115.77 Take a series of measures to ensure the adequate application of the law on combating trafficking in persons, in particular by initiating proceedings against perpetrators of crimes linked to this phenomenon (Democratic Republic of the Congo);

S - 115.78 Finalize the drafting of the national plan of action to combat trafficking in persons (Gabon);

S - 115.79 Adopt a comprehensive national action plan to combat human trafficking (Côte d'Ivoire);

S - 115.80 Adopt a comprehensive action plan to prevent, combat and prosecute all forms of trafficking in persons (Honduras);

S - 115.81 Effectively curb and combat human trafficking, safeguarding the rights of victims (Nepal);

S - 115.82 Continue fortifying efforts in addressing human trafficking, particularly in children, including by developing capacity for trafficking investigations and prosecutions (Indonesia);

S - 115.83 Continue its endeavours to combat child labour and trafficking in persons, including women and children (Islamic Republic of Iran);

S - 115.84 Continue to strengthen efforts to combat child trafficking (Maldives);

S - 115.85 Continue its efforts to enhance legal measures and programmes to address violence against women and children and to respond to trends in trafficking in persons (Philippines);

S - 115.86 Further strengthen partnership between governments, civil society and the business sector to eliminate forced and bonded labour from supply chains in Mauritius (United Kingdom of Great Britain and Northern Ireland);

S - 115.87 Take necessary measures to eliminate discrimination against domestic workers in order for them to enjoy their human rights as all other workers do (Islamic Republic of Iran);

S - 115.88 Continue to promote sustainable economic and social development and fight against poverty, so as to provide a solid foundation for the enjoyment of all human rights by its people (China);

S - 115.89 Continue its efforts to empower people living in poverty (Bolivarian Republic of Venezuela);

S - 115.90 Roll out its social empowerment programmes countrywide in order to further improve the living standards of all citizens (Zimbabwe);

S - 115.91 Continue successful efforts to ensure an adequate standard of living for Mauritians (Malaysia);

S - 115.92 Continue efforts aimed at the protection of vulnerable groups, particularly the elderly (Tunisia);

S - 115.93 Continue working to improve health-care and education services to ensure a better standard of living for its population (Cuba);

S - 115.94 Strengthen its efforts to improve the nutritional status of infants, children and mothers (Islamic Republic of Iran);



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S - 115.95 Continue to guarantee access to free health care for its population (Bolivarian Republic of Venezuela);

N - 115.96 Revise the Criminal Code so that women can access legal, safe and voluntary termination of pregnancy, and guarantee the provision of the respective medical services (Iceland);

S - 115.97 Continue its efforts to implement its anti-drug awareness campaigns and national prevention programmes (Philippines);

S - 115.98 Continue to take positive measures to better protect the rights of women and children, and continue to make progress in the field of education (China);

S - 115.99 Continue consolidating the school feeding programme and the fight against school absenteeism (Bolivarian Republic of Venezuela);

S - 115.100 Step up efforts to ensure full access to education for Creole-speaking children (Georgia);

S - 115.101 Continue efforts to improve educational opportunities for children in rural areas (Maldives);

S - 115.102 Consider utilizing human rights education and training programmes to further mainstream the promotion of rights of women and children (Philippines);

S - 115.103 Continue efforts in awareness-raising, training and human rights education programmes at all levels of education (Libya);

S - 115.104 Intensify international cooperation through partnerships, with the aim of assisting national authorities in affirming and opening up quality higher education to regional vocations (Angola);

S - 115.105 Strengthen efforts towards a better promotion of gender equality, in particular the finalization and adoption of the Gender Equality Bill (Armenia);

S - 115.106 Strengthen protection against gender-based discriminatory practices (Zimbabwe);

S - 115.107 Continue to promote gender equality, work to end violence against women and remove barriers to women's active participation across all spheres of life (Australia);

S - 115.108 Expand activities aimed at educating and empowering women and girls on gender-based violence and the recourses available to them, for instance through awareness campaigns and support services (Canada);

S - 115.109 Combat domestic violence and ensure integration and more equitable representation of women in the political sphere (France);

S - 115.110 Expand measures being taken to address attitudes and stereotypes that lead to discrimination and violence against women and girls (Guyana);

S - 115.111 Accelerate efforts towards eliminating violence against women and consider adopting relevant legislation (Georgia);

S - 115.112 Pursue the effective implementation of measures to combat violence against women (Djibouti);

S - 115.113 Take urgent steps to address gender-based violence by strengthening investigations, prosecutions and convictions, and by introducing public information campaigns to encourage victims to report such crimes and to deter further offences (United Kingdom of Great Britain and Northern Ireland);



S - 115.114 Hold accountable those responsible for acts of violence against women, including those responsible for domestic violence and sexual and gender-based violence (United States of America);

S - 115.115 Improve the effective implementation of existing legislation on domestic violence, including by strengthening efforts to bring perpetrators to justice (Belgium);

S - 115.116 Strengthen access to justice for victims of gender-based and domestic violence, investigate all allegations of sexual violence, bring perpetrators to justice and provide training to law enforcement and the judiciary on how to properly interact with possible victims when their claims are brought forth and on how to manage cases accordingly (Canada);

S - 115.117 Strengthen efforts to set up an integrated support service against domestic violence (Ethiopia);

S - 115.118 Continue to strengthen application of the law to combat gender and domestic violence (Spain);

S - 115.119 Take further measures to guarantee the realization of the rights of women and girls, especially to fight against all forms of violence and to eradicate child, early and forced marriage (Portugal);

S - 115.120 Continue to promote women's empowerment, gender equality and representation in decision-making bodies, especially through the active participation of women in social, economic and political fields (South Africa);

S - 115.121 Continue reforms to increase women's participation in political life at higher levels (United Arab Emirates);

S - 115.122 Continue positive steps to the achievement of gender equality by taking further measures to promote women's full and equal participation in political and public life (Iceland);

S - 115.123 Promote increasing the number of women participating in the National Assembly and decision-making bodies (Iraq);

S - 115.124 Step up efforts to promote gender equality, particularly with regard to the underrepresentation of women in political and decision-making positions (Rwanda);

S - 115.125 Improve representation of women in the parliament (Senegal);

S - 115.126 Take adequate measures in order to provide more women to be presented in the national parliament and decision-making institutions and bodies (Serbia);

S - 115.127 Enforce existing legislation and strengthen programmes to ensure equality of wages between men and women (Spain);

S - 115.128 Continue efforts to eliminate discrimination against women, particularly in the labour market (Tunisia);

N - 115.129 Solve the problem of the stereotyped distribution of professions in the labour market (Congo);

S - 115.130 Consider setting up a follow-up mechanism for the implementation of the Code of Corporate Governance of 2017 regarding greater representation of women on boards of directors (United Arab Emirates);



S - 115.131 Finalize and adopt the Children's Bill agreed to during the second review cycle and take measures to further strengthen legal mechanisms for the protection of the rights of child victims and child offenders (Bhutan);

S - 115.132 Work for the improvement of the bill on children's rights (Cameroon);

S - 115.133 Adopt as soon as possible the consolidated Children's Bill, addressing key issues such as children's access to justice and the prohibition of corporal punishment in all spheres of society, promoting the adoption of non-violent disciplinary measures (Uruguay);

S - 115.134 Finalize the drafting and adoption of the Children's Bill and the bill on adoption (Gabon);

S - 115.135 Adopt the consolidated Children's Bill, including a prohibition of all forms of corporal punishment of children in all settings (Germany);

S - 115.136 Strengthen measures to ensure protection of women's and children's rights, including by implementing fully the relevant laws as well as finalizing adoption of the consolidated Children's Bill (Ireland);

S - 115.137 Step up efforts towards the adoption of a bill on children in order to ensure the best standards of health and protection for children (Jordan);

S - 115.138 Consider taking further steps to finalize the Children's Bill, which will, inter alia, abolish corporal punishment in all settings (Namibia);

S - 115.139 Complete the legislative process for the adoption of the Children's Bill (Algeria);

S - 115.140 Enact and effectively implement the Children's Bill (Seychelles);

S - 115.141 Adopt, without delay, a consolidated Children's Bill allowing the Convention on the Rights of the Child to be properly domesticated (Slovenia);

S - 115.142 Continue efforts to finalize the passing of the Children's Bill and Adoption Bill (Uganda);

S - 115.143 Continue its endeavour to promote and protect the rights of the child in light of the Government's finalization and adoption of the draft Children's Bill (Armenia);

S - 115.144 Put further amendments in its legal frameworks in the field of child protection in compliance with international human rights standards (Afghanistan);

S - 115.145 Ensure compliance with the minimum age for marriage, established at 18 years (Chile);

S - 115.146 Consider reviewing the Civil Code that allows marriage for girls below the age of 18 (Namibia);

S - 115.147 Amend the Child Protection Act and raise the age of marriage to 18 years (Kenya);

S - 115.148 Enact and implement legislation that protects children's rights, with a specific focus on fighting against child, early and forced marriage (Italy);

S - 115.149 Integrate the principle of taking into account the best interests of the child into all legislative and judicial procedures as well as into policies concerning children (Congo);

S - 115.150 Adopt a strategy to combat child labour, in particular in its worst forms; strengthen labour inspection to detect and punish child labour; and improve protection and reinsertion programmes (Democratic Republic of the Congo);



- S - 115.151 Continue efforts to empower youth (Egypt);
- S - 115.152 Guarantee the rights of children and better assist children in vulnerable situations (France);
- S - 115.153 Strengthen laws and policies aimed at protecting children's rights, particularly those aimed at prohibiting, preventing and responding to the sale and sexual exploitation of children (Botswana);
- S - 115.154 Ensure that its domestic legislation relating to sexual exploitation of children meets international standards, and provide adequate access to recovery and reintegration measures to child victims of sexual abuse (Germany);
- S - 115.155 Continue to sensitize both adults and children to the rights of children, particularly in the context of child poverty and child sexual abuse (Malaysia);
- S - 115.156 Continue to strengthen efforts to combat child abuse in all its forms, by adopting and implementing the Children's Bill, with particular attention on issues such as corporal punishment, early and forced marriage, trafficking, sexual exploitation and forced prostitution (Netherlands);
- S - 115.157 Continue efforts to promote children's rights and their protection from trafficking and sexual exploitation (Tunisia);
- S - 115.158 Redouble efforts to strengthen measures to protect the rights of the child, including by preventing violence against children and improving quality education for children (Indonesia);
- S - 115.159 Establish an action plan to prevent and counter the abuse of children, and eradicate violence against children (Iraq);
- S - 115.160 Ensure enhanced coordination among the law enforcement agencies in terms of proceeding cases of child abuse (Afghanistan);
- S - 115.161 Adopt a legislative mechanism to prohibit and punish all forms of violence against and ill-treatment of children (Madagascar);
- S - 115.162 Intensify efforts to formulate a comprehensive strategy for preventing and combating child abuse, including the prohibition of corporal punishment in all settings (Ukraine);
- S - 115.163 Take the necessary measures to ensure adequate and effective protection against all forms of discrimination against different ethnic groups and minorities, through awareness-raising and education programmes aimed at highlighting the contribution of each ethnic group (Argentina);
- S - 115.164 Adopt concrete measures within the framework of the Convention on the Elimination of All Forms of Discrimination against Women, with a view to materializing social inclusion of minorities (Angola);
- S - 115.165 Provide further opportunities for simultaneous training and access to information in Mauritian Creole/Kreol Morisien (Trinidad and Tobago);
- S - 115.166 Continue to remedy the economic disadvantages and cultural, structural and informal disadvantages of Mauritian Creoles by implementing policies conducive to their economic development, with their full participation (Haiti);
- S - 115.167 Continue developing actions to promote the rights of persons with disabilities and their participation in the country's development (Cuba);
- S - 115.168 Continue efforts to strengthen the rights of persons with disabilities (Egypt);



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S - 115.169 Pursue work to prepare a bill on persons with disabilities in order to combat discrimination against them (Jordan);

S - 115.170 Continue to provide further protection to persons with disabilities, notably children (South Africa);

S - 115.171 Ensure that access to education for children with disabilities is guaranteed and respected, as well as their inclusion in all human rights spheres (Madagascar);

S - 115.172 Support the inclusion of children with disabilities in mainstream schools, as far as possible (Trinidad and Tobago);

S - 115.173 Continue to promote and protect the rights of persons with disabilities, particularly by preventing violence and abuse against them (Islamic Republic of Iran);

S - 115.174 Reinforce all measures to combat violence and ill-treatment against persons with disabilities and to ensure that all those responsible for such acts are held accountable under the law (Madagascar);

S - 115.175 Adopt measures to combat violence against and abuse and neglect of persons with disabilities and persons with mental health conditions, including by prohibiting forced sterilization and respecting their autonomy and free and informed consent, while promoting their inclusion in the community and combating institutionalization (Portugal);

N - 115.176 Introduce legal safeguards to protect children born in the country from statelessness (Kenya).

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ⁱ The recommendation, as read out during the interactive dialogue, was: "Take into account in a concrete way the vulnerabilities, needs and viewpoints of marginalized groups, in particular the Creoles, when drafting policies or programmes on issues relating to climate change.

ⁱⁱ The recommendation, as read out during the interactive dialogue was: "Take all necessary steps to improve transparency and accountability in its financial sector, with a view to eliminating loopholes that may contribute to illicit financial flows."