

## 2RP: Responses to Recommendations & Voluntary Pledges

# MONACO

## Second Review Session 17

Review in the Working Group: 28 October 2013

Adoption in the Plenary: 21 March 2014

### Monaco's responses to recommendations (as of 14.07.2014):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
51 recs accepted, 11 which "did not enjoy [its] support" (-> noted) and 19 left pending	The 19 recs left pending were commented in a general manner without giving a clear position	No additional information provided	Accepted: 51 Noted: 30 Total: 81

*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/25/12:

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

A - 89.1 Ratify the Convention on the Rights of Persons with Disabilities, which Monaco signed in 2009 (France);

A - 89.2 Ratify the Convention on the Rights of Persons with Disabilities (Togo);

A - 89.3 Consider ratifying the Convention on the Rights of Persons with Disabilities, with particular consideration for widening accessibility for all, as mentioned in the article 9 of the Convention, in order that persons with disability could live independently and contribute to their local community (Thailand);

A - 89.4 Consider ratifying the Convention on the Rights of Persons with Disabilities shortly (Morocco);



A - 89.5 Complete the ratification of the Convention on the Rights of Persons with Disabilities at the earliest convenience, if possible (Viet Nam);

A - 89.6. Accelerate the process for the ratification of the Convention on the Rights of Persons with Disabilities (Spain);

A - 89.7 Step up procedures for the ratification of the Convention on the Rights of Persons with Disabilities (Albania);

A - 89.8 Continue in its efforts with regard to the ratification of the Convention on the Rights of Persons with Disabilities and the Bill on the protection, autonomy and promotion of the rights and freedoms of persons with disabilities (Indonesia);

A - 89.9 Continue to consider ratifying the Convention on the Rights of Persons with Disabilities (Tunisia);

A - 89.10 Consider adopting and implementing law on the independent functioning and organization of the National Council in order to reflect changes already made to the Constitution in 2002 (United States of America);

A - 89.11 Include in its national criminal legislation, a definition of torture, in compliance with the provisions of the Convention against Torture (Maldives);

A - 89.12 Complete the review of its legislative project on the abolition of the penalty of banishment and promptly follow-up on the results of this review (Canada);

A - 89.13 Expedite action on the bill currently under consideration aimed at promoting and protecting the rights of persons with disabilities (Nigeria);

A - 89.14 Strengthen the national unit for the protection of human rights within the Department of Foreign Affairs of the Monegasque Government and work towards the establishment of a national human rights institution (France);

A - 89.15 Consider amending the institution of the Ombudsman currently available, so that it is more independent from the office and it can address human rights controversies among citizens and the various State institutions in an impartial and autonomous manner (Mexico);

A - 89.16 Set up an independent body responsible for human rights (Algeria);

A - 89.17 Create an independent national human rights institution in conformity with the Paris Principles (Tunisia);

A - 89.18 Establish a national human rights institution, whose functioning is in accordance with the Paris Principles (Costa Rica);

A - 89.19 Establish an independent national human rights institution in conformity with the Paris Principles, providing it with the necessary human and financial resources to effectively exercise its functions, including the investigation of allegations of torture (Uruguay);

A - 89.20 Consider the establishment of an independent national human rights institution, within, and in accordance with the appropriate domestic procedural and legal framework (Maldives);



A - 89.21 Consider establishing an independent national human rights institution in conformity with the Paris Principles and set up an independent human rights structure to receive human rights complaints from individuals (Slovenia);

A - 89.22 Consider establishing an independent human rights institution in conformity with the Paris Principles (Indonesia);

A - 89.23 Establish a mechanism that monitors gender equality in employment, wage discrimination against women and discrimination on sexual orientation (United Kingdom of Great Britain and Northern Ireland);

A - 89.24 Continue strengthening protection policies in favour of boys and girls, women and persons with disabilities (Chile);

A - 89.25 Continue concentrating efforts towards older persons, with a view to adequately addressing the challenge resulting from an increasing number of elderly adults (Chile);

A - 89.26 Pursue its efforts to take up the challenges of human rights in accordance with international standards (Oman);

A - 89.27 Continue its efforts of raising awareness on human rights issues among its population (Mauritius);

A - 89.28 Continue the efforts in the area of human rights training for the judiciary and police staff (Chile);

A - 89.29 Strengthen the fight against all forms of discrimination (Ecuador);

A - 89.30 Intensify its efforts to combat racial discrimination, xenophobia and intolerance, and to encourage high level politicians to take a clear stand against these scourges (Tunisia);

A - 89.31 Undertake all possible efforts to combat racism, racial discrimination, xenophobia and other forms of related intolerance (Cuba);

A - 89.32 Accelerate the study of draft laws aimed at combating racial discrimination, particularly with regard to migrants, and reinforce the protection of foreign workers (Uruguay);

A - 89.33 Expedite action on bills currently under consideration aimed at combating racial discrimination (Nigeria);

A - 89.34 Enact a specific law outlawing racist or xenophobic attitudes and prohibiting the display of racist symbols or signs reflecting a racist ideology in sport (Islamic Republic of Iran);

A - 89.35 Amend the criminal legislation with the view of introducing the racist motivated offence as an aggravating criminal circumstance (Albania);

A - 89.36 Make specific provision in its criminal law for preventing and combating racist motivations which constitute an aggravating circumstance in the country (Islamic Republic of Iran);

A - 89.37 Continue with efforts to promote gender equality (Nigeria);

A - 89.38 Take measures to raise awareness of its new legislation concerning domestic violence and inform victims of violence about their rights and help available to them (Canada);

A - 89.39 Put in place an independent procedure to monitor complaints of human rights violations by the police (United Kingdom of Great Britain and Northern Ireland);

A - 89.40 Consider establishing a mechanism to monitor the conditions of execution of the sentence of the convicted prisoners deprived of their liberty in France (Costa Rica);

A - 89.41 Encourage the establishment of non-governmental human rights organizations (Slovenia);

A - 89.42 Attach greater relevance and adopt measures to guarantee the enjoyment of all economic, social and cultural rights of its population (Cuba);

A - 89.43 Continue the efforts for the equal guarantee of the right to free medical assistance for children, with special attention to those from disadvantaged environments (Ecuador);

A - 89.44 Redouble its efforts in providing and facilitating better access for all in exercising their right to health and right to education (Malaysia);

A - 89.45 Strengthen the protection of foreign workers in the country, including through the revision of relevant legislation on their working conditions (Thailand);

A - 89.46 Adopt the pending legislation on harassment and violence in the workplace and continue to ensure protection of non-Monegasque workers from any form of discrimination, including in terms of access to social and health services (Republic of Moldova);

A - 89.47 Increase the international cooperation activities aimed at the development of other countries (Cuba);

A - 89.48 Pursue its commitments in the area of international development aid, especially in the area of health and poverty (Viet Nam);

A - 89.49 Continue to attach priority in the area of international cooperation to combating poverty, to mother and child health, to education and to combating pandemics (Togo);

A - 89.50 Take all appropriate measures for the effective implementation of its voluntary commitment in terms of international cooperation to work towards food security and gender equality (Congo);

A - 89.51 Guarantee the cooperation and responsiveness of financial institutions with regard to requests for the recovery of funds of illicit origin (Tunisia).

**90. The following recommendations will be examined by Monaco which will provide responses in due time, but no later than the twenty-fifth session of the Human Rights Council in March 2014:**

N - 90.1 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights in order to increase the possibilities for complaints and investigation by the Committee on Economic, Social and Cultural Rights, and thereby bringing such protection system at the same level of the existing one with regard to civil and political rights (Spain);

N - 90.2 Ratify the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (France);

N - 90.3 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women to better fight against discrimination against women and to ensure greater protection of such group (Spain);

N - 90.4 Ratify the Optional Protocol to the Convention against Torture (Brazil); Ratify the Optional Protocol to the Convention against Torture (France);

N - 90.5 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Estonia); Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Togo);

N - 90.6 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

N - 90.7 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which Monaco signed in 2007 (France);

N - 90.8 Continue to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Tunisia);

N - 90.9 Accelerate the legislative procedures and judicial reforms aimed at the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and recognize the competence of its monitoring body (Uruguay);

N - 90.10 Ratify the Rome Statute of the International Criminal Court (Montenegro); Ratify the Rome Statute of the International Criminal Court (Australia); Ratify the Rome Statute of the International Criminal Court (France); Ratify the Rome Statute of the International Criminal Court (Brazil);

N - 90.11 Continue to consider ratifying the Rome Statute of the International Criminal Court (Tunisia);

N - 90.12 Ratify the Rome Statute of the International Criminal Court (ICC) and fully align its national legislation with all obligations under the Rome Statute, including by incorporating provisions to cooperate promptly and fully with the ICC, and to investigate and prosecute genocide, crimes against humanity and war crimes effectively before its national courts (Netherlands);

N - 90.13 Ratify the Rome Statute of the International Criminal Court, fully align its national legislation with the obligations under the Rome Statute and accede to the Agreement on the Privileges and Immunities of the International Criminal Court (Ireland);

N - 90.14 Ratify/accede to the Rome Statute of the International Criminal Court, to implement it fully at national level and to accede to the Agreement on the Privileges and Immunities of the International Criminal Court (Slovakia);

N - 90.15 Ratify the Rome Statute of the International Criminal Court and the Agreement on the Privileges and Immunities of the International Criminal Court, and to fully align its national legislation with the obligations contained therein (Estonia);

N - 90.16 Accelerate the internal procedures to ratify the Rome Statute of the International Criminal Court, and adhere to the Agreement on the Privileges and Immunities of the International Criminal Court, as well as to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Uruguay);

N - 90.17 Examine the incompatibilities of national legislation that prevent its adherence to the ILO and ratify its Conventions, in particular ILO Conventions No. 111 and No. 87 (Uruguay);

N - 90.18 Become a member of the International Labour Organization and the respective conventions (Germany);

N - 90.19 Consider ratifying the fundamental ILO Conventions (Nicaragua).

**91. The recommendations below did not enjoy the support of Monaco:**

N - 91.1 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Argentina); Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria);

N - 91.2 Consider the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);

N - 91.3 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Nicaragua);

N - 91.4. Adhere to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and recognize the competence of the Committee (Uruguay);

N - 91.5 Consider enacting Venice Commission recommendations to bring some of its laws formally in line with its already democratic practices (United States of America);

N - 91.6 Decriminalize defamation and make it part of the Civil Code (Ireland);

N - 91.7 Take measures in order that the Constitution and other national legislation contain proper provisions that clearly establish the principle of equal treatment and non-discrimination on the grounds of race, colour, ethnic origin, nationality, language or religion (Mexico);

N - 91.8 Continue its efforts to consolidate the legislative framework in the field of the protection against discrimination, in particular in relation to the employment of non-nationals (Netherlands);

N - 91.9 Review and abolish those legal and practical measures which precluded the naturalized Monegasques, being eligible for elections, in particular articles 54 and 79 of the Constitution in order to remove any inappropriate differentiation between its citizens (Islamic Republic of Iran);

N - 91.10 Consider ways to further ensure the independence of the judiciary, such as vesting the High Council of Judges and Prosecutors in the Constitution (United States of America);

N - 91.11 Conduct an analysis of the discriminatory treatments that may be affecting foreigners, especially in the field of employment, and consider amending its legislation in accordance with the result of this study (Canada).

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