

Responses to Recommendations

TUNISIA

Third Review Session 27

Review in the Working Group: 2 May 2017
Adoption in the Plenary: 21 September 2017

Tunisia's responses to recommendations (as of 15.01.2018):

| In the Report of the Working Group: | In the Addendum: | During the plenary: | Summary: |
|--|--|-------------------------------------|---|
| Supported: 182 Noted: 55 Pending: 11 | Out of the 11 recs left pending, 7 enjoy full support while 4 are noted. | No additional information provided. | Supported: 189 Noted: 59 Total: 248 |

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/36/5:

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

S - 125.1 Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) (Peru);¹

S - 125.2 Consider ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Georgia);

S - 125.3 Envisage completing the process of adherence to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in order to facilitate individual complaints in case of violations of the rights of children, and to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Burkina Faso);

S - 125.4 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Sierra Leone);²



S - 125.5 Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Uganda);

S - 125.6 Align the legislative amendments to the Constitution with the Convention on the Elimination of All Forms of Discrimination against Women, reforming the laws that are discriminatory to women (Uruguay);

S - 125.7 Accelerate the alignment of national legislation with a bearing on human rights to the new Constitution, which was adopted in 2014, including provisions relating to the prevention and criminalization of violence against women and children (Zimbabwe);

S - 125.8 Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Madagascar);

S - 125.9 Pursue ongoing cooperation with human rights mechanisms (Saudi Arabia);

S - 125.10 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 - 125.11 Continue with the establishment of legal and independent bodies including the Constitutional Council (Sudan);

S - 125.12 Without further delay, take steps to adopt the laws called for in its Constitution to safeguard the unique status of independent agencies in Tunisia (Sweden);

S - 125.13 Ensure the compliance of its legislation, especially the Code of Personal Status and the Criminal Code, with articles 21 and 46 of its Constitution and international human rights obligations (Switzerland);

S - 125.14 Accelerate the ongoing process to harmonize existing legislation with the Constitution (Angola);

S - 125.15 Take all the necessary steps to resolve the divergences in the interpretation of the legal text on the Supreme Judicial Council and ensure that such interpretation is in accordance with the provisions of the Constitution (Botswana);

S - 125.16 Continue the harmonization of legal frameworks in line with Constitutional texts (Iraq);

S - 125.17 Fully implement the ideals of the new Constitution, including the initiation of Constitutional Court proceedings (Japan);

S - 125.18 Create and ensure the functioning of Constitutional bodies, such as institutions on human rights and good governance, as well as the Constitutional Court (Portugal);

S - 125.19 Continue efforts to bring national legislation relevant to human rights in line with the Tunisian Constitution and its international human rights obligations (Qatar);

S - 125.20 Continue the establishment of constitutional bodies by completing the legislative process and enacting adequate legislation in this regard (Romania);

S - 125.21 Quickly establish the Constitutional Court and expedite the revision of laws that are incompatible with the Constitution and international human rights standards (Guatemala);

S - 125.22 Continue the process of harmonizing national legislation, including the Criminal Code and Code of Criminal Procedure, with the Constitution and international human rights instruments ratified by Tunisia (Italy);

S - 125.23 Continue to bring its legislation into compliance with the Constitution as well as with ratified international instruments (Madagascar);

S - 125.24 Continue to take effective measures to align its legal system with its new Constitution and with the relevant international human rights instruments (Namibia);

S - 125.25 Revise comprehensively its national legislation in order to bring it in line with its Constitution and with the Convention on the Elimination of All Forms of Discrimination against Women (Honduras);

S - 125.26 Harmonize legislation that discriminated against women with the Constitution and the Convention on the Elimination of All Forms of Discrimination against Women (Kyrgyzstan);

S - 125.27 Continue to finalize the establishment of the Constitutional Court and expedite the overhaul of the laws that are inconsistent with the Constitution and international human rights standards so as to expand on the environment that is conducive for the further implementation of recommendations made in the context of the universal periodic review (Kenya);

S - 125.28 Continue to work towards modernizing legislation in line with the new Tunisian Constitution and complete the implementation of recommendations from the first session of the universal periodic review (Kuwait);

S - 125.29 Accelerate the creation of the Constitutional Court and the Constitutional bodies, ensuring that they and other institutions, including the National Authority for the Prevention of Torture, are independent, adequately resourced and swiftly operational (United Kingdom of Great Britain and Northern Ireland);

S - 125.30 Reform the National Council for Social Dialogue (Cuba);

S - 125.31 Ensure the effective and independent functioning of the national preventive mechanism under the Optional Protocol to the Convention against Torture (Czechia);

S - 125.32 Continue efforts to strengthen its democratic institutions and values and develop comprehensive national human rights policies to embrace all economic and social domains, such as education, health, the environment and poverty eradication programmes and support their implementation (Pakistan);

S - 125.33 Adopt human rights capacity-building and training programmes for law enforcement officials (Chile);

S - 125.34 Take into account the concerns of Tunisian civil society in the context of the future law on national reconciliation (Luxembourg);

S - 125.35 Ensure coherence with the mandates of the national preventive mechanism in the establishment process of the new national human rights institution (Ghana);

- S - 125.36 Finalize the establishment of a new national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (Kenya);
- S - 125.37 Step up efforts towards the completion of the institutional framework for the promotion and protection of human rights, including the formulation of a national human rights action plan (Philippines);
- S - 125.38 Continue work on raising awareness and enhancing training and capacity-building in the field of human rights for government institutions, particularly internal security services and military forces, in accordance with international standards (Qatar);
- S - 125.39 Continue to strengthen human rights training for police and local government officials, especially on interrogation and investigation methods. Developments in the legal framework take much training and effort to translate into actual practice (Republic of Korea);
- S - 125.40 Criminalize racism, in line with international commitments (Kyrgyzstan);
- S - 125.41 Criminalize racism, in line with international commitments (Ukraine);
- S - 125.42 Accelerate the process of adopting a relevant legislative and regulatory framework for combating racial discrimination (Congo);
- S - 125.43 Adopt a legislative framework ensuring protection against all forms of offences motivated by prejudice (Côte d'Ivoire);
- S - 125.44 Continue efforts to promote gender equality (Jordan);
- S - 125.45 Continue with its efforts to improve the conditions of persons with disabilities, in particular through support for reasonable accommodation in the workplace as well as access to education countrywide (Mexico);
- S - 125.46 Criminalize racial discrimination and enforce laws which protect the rights of the black population (Sierra Leone);
- S - 125.47 Adopt a law prohibiting racial discrimination, including criminalizing such behaviour (South Africa);
- S - 125.48 Immediately cease the practice of forced anal examinations of lesbian, gay, bisexual, transgender and intersex persons, which are contrary to its obligations under the Convention against Torture (Ireland);
- S - 125.49 Continue its efforts in the less developed regions by encouraging development and investment (Libya);
- S - 125.50 Continue efforts to pursue the legislative efforts of the sustainable development commission for future generations (Saudi Arabia);
- S - 125.51 Enhance efforts to fight terrorism and continue raising awareness to fight against extremism (Syrian Arab Republic);
- S - 125.52 Ensure security measures under the state of emergency or counter-terrorism laws and maintain the human rights of suspects, detainees and their families (United States of America);

S - 125.53 Create a law or guidelines to end the use of excessive force against individuals suspected of involvement in terrorist activities, improve pretrial detention conditions, install video cameras in places of detention and ensure access to legal services without delay (Canada);

S - 125.54 Continue efforts to combat terrorism (Iraq);

S - 125.55 Ensure the existence of scientific, intellectual, legal, social and economic programmes to raise awareness about the risk of terrorism at all levels (Iraq);

S - 125.56 Continue efforts to implement the national strategy for combating terrorism and violent extremism (Libya);

S - 125.57 Continue its efforts to implement its strategy to combat terrorism and violent extremism in conjunction with all relevant authorities (Oman);

S - 125.58 Ensure respect for human rights while combating terrorism by ensuring the right to a fair trial and due process and freedom of expression (Peru);

S - 125.59 Pass comprehensive and specific legislation on violence against women that contains both criminal and civil provisions (Zambia);

S - 125.60 Establish within the new law civil remedies, including comprehensive protection orders that are part of the Code of Civil Procedure, instead of being integrated into the Criminal Code (Zambia);

S - 125.61 Pursue its reform of the security sector (Luxembourg);

S - 125.62 Continue with security sector reform to ensure appropriate training and oversight mechanisms are in place (Australia);

S - 125.63 Ensure all allegations of excessive use of force or other security force abuses are investigated in a prompt, effective and independent manner (United States of America);

S - 125.64 Continue dialogue at the national level, with a view to reaching consensus to abolish the death penalty in the Constitution (Costa Rica);

S - 125.65 Promote a national debate on the abolition of the death penalty (Italy);

S - 125.66 Maintain its de facto moratorium on the use of the death penalty with a view to its total abolition (Rwanda);

S - 125.67 Facilitate a public debate on the death penalty, with input from the Human Rights Commission, other relevant constitutional bodies and civil society, with a view to ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ireland);

S - 125.68 Step up its efforts to prevent torture and ill-treatment by ensuring that allegations of torture and ill-treatment are systematically investigated and the perpetrators are prosecuted and punished and that victims are compensated in an adequate and equitable manner (Switzerland);

S - 125.69 Take the necessary measures to fight torture more effectively (Togo);

S - 125.70 Take measures aimed at eliminating torture and other forms of ill-treatment (Ukraine);

- S - 125.71 Bring the definition of torture in Tunisian law in line with the Convention against Torture and focus on best practice and human rights training for police and security personnel (Austria);
- S - 125.72 Adopt measures to secure the independent and effective investigation of allegations of torture by the police, in compliance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol) (Czechia);
- S - 125.73 Take all necessary measures to render effective the prosecution and sentencing of perpetrators of torture and ill-treatment (France);
- S - 125.74 Strengthen the independence of the national mechanism for the prevention of torture and other forms of ill-treatment, including through the provision of a separate and adequate budget (Germany);
- S - 125.75 Bring the definition of torture in line with the requirements of the Convention against Torture (Ghana);
- S - 125.76 Adopt the decrees on the national preventive mechanism and ensure its financial and administrative independence (Ghana);
- S - 125.77 Allocate sufficient resources to ensure the effective implementation of the torture prevention mechanism (Madagascar);
- S - 125.78 Ensure accountability for all acts of torture that occur within the framework of the fight against terrorism (Netherlands);
- S - 125.79 Further its efforts to ban torture and other ill-treatment in conformity with international human rights standards, while combating terrorism (Norway);
- S - 125.80 Continue efforts to implement the comprehensive national strategy against human trafficking adopted under Act No. 621 of 2016 (United Arab Emirates);
- S - 125.81 Expand efforts to combat human trafficking and ensure protection for victims (Jordan);
- S - 125.82 Continue to strengthen measures to combat human trafficking and child labour (Sri Lanka);
- S - 125.83 Continue a dialogue with all States on the basis of mutual respect, equal sovereignty and the right of people to choose their political, economic and social system (Syrian Arab Republic);
- S - 125.84 Continue its efforts in order to promote human rights and public liberties (Yemen);
- S - 125.85 Strengthen its democratic election processes through the effective implementation of recommendations from the final report of the European Union Election Observation Mission to Tunisia in 2014 (Czechia);
- S - 125.86 Strengthen the implementation of legislation in the areas of freedom of expression, access to information and non-discrimination and ensure that all relevant laws are fully in line with the Constitution (Czechia);

- S - 125.87 Replace decrees No. 115 and No. 116 from 2011 on press and audiovisual communication with legislation that is in line with article 65 of the Constitution relating to information, the press and publishing, and article 127 of the Constitution (Denmark);
- S - 125.88 Strengthen legislation on freedom of expression and conscience (Lebanon);
- S - 125.89 Continue enhancing freedom of information and the rights of journalists (Lebanon);
- S - 125.90 Align the legal framework applicable to freedom of the press and publication and to audiovisual communication with applicable international standards (Romania);
- S - 125.91 Adopt measures to ensure the protection of free speech and freedom of the press, ensuring that human rights defenders can carry out their legitimate activities (Spain);
- S - 125.92 Accelerate the implementation of the laws on the freedom of expression, assembly and association and to ensure alignment with international standards, including under possible emergency measures (Finland);
- S - 125.93 Ensure a conducive environment for human rights defenders to carry out their legitimate activities without fear or undue hindrance (South Africa);
- S - 125.94 Carry out prompt investigations into all threats and attacks targeting human rights defenders and guarantee that those responsible are brought to justice and punished in a manner commensurate with the gravity of their acts (Liechtenstein);
- S - 125.95 Bring all legislation concerning communication surveillance in line with international human rights standards, and especially ensure that all communications surveillance requires a test of necessity and proportionality (Liechtenstein);
- S - 125.96 Take the necessary measures to expedite the work of the High Judicial Council (Syrian Arab Republic);
- S - 125.97 Continue its efforts to further advance its justice system (Azerbaijan);
- S - 125.98 Continue the task of completing the special institutional framework in the areas of judiciary and independent bodies (Jordan);
- S - 125.99 Deepen the process of ensuring effective reparation for the wounded and the families of those killed during the revolution by providing adequate medical support and rehabilitation (Argentina);
- S - 125.100 Reinforce the implementation of alternative sentencing measures to reduce overcrowding in prisons for short- and medium-term detention (Angola);
- S - 125.101 Enhance the rights of prisoners by adopting measures that include reducing overcrowding in prison facilities, adopting alternative measures to pretrial detention and ensure fair treatment during judicial proceedings at all stages, in line with international treaties (Kenya);
- S - 125.102 Continue efforts to implement the plan of action for judicial reform and prison systems (Morocco);
- S - 125.103 Make further efforts to protect civil rights in judicial procedures, including by ensuring immediate access to an attorney upon arrest (Republic of Korea);

- S - 125.104 Continue its efforts to fight against unemployment and prioritize adequate housing and access to water (Sudan);
- S - 125.105 Promote social dialogue and ensure that the conclusions of the dialogue are implemented (Sudan);
- S - 125.106 Strengthen its efforts to reduce extreme poverty, exclusion and marginalization (Zimbabwe);
- S - 125.107 Enforce the economic independence of women and vulnerable groups by adopting appropriate plans to combat poverty (Algeria);
- S - 125.108 Give priority to the elimination of poverty and strive to reduce unemployment and to improve people's living standards (China);
- S - 125.109 Diversify interventions in order to decrease the incidence of poverty (Cuba);
- S - 125.110 Continue efforts to safeguard cultural, social and economic rights, including in the least developed regions (Egypt);
- S - 125.111 Further intensify the Government's activities to boost youth employment (Ethiopia);
- S - 125.112 Redouble its efforts in guaranteeing the right to work and the equality of all workers in the public sector, without discrimination (Indonesia);
- S - 125.113 Guarantee the right to work and equality of all public sector workers and ensure that their human dignity is respected without gender-based discrimination (Central African Republic);
- S - 125.114 Stress and promote access to health services, including by training medical staff (Syrian Arab Republic);
- S - 125.115 Continue strengthening the health-care infrastructure (Bolivarian Republic of Venezuela);
- S - 125.116 Continue to enhance the effectiveness of measures taken to improve access to health services in remote and rural areas (Libya);
- S - 125.117 Continue implementing the national strategy to enhance access to health services in rural areas (State of Palestine);
- S - 125.118 Accelerate the adoption of the draft law on narcotics, which exempts from criminal prosecution any consumer requiring medical follow-up (Gabon);
- S - 125.119 Ensure broad access to health services, including reproductive health services, especially to young people (Luxembourg);
- S - 125.120 Expand family planning services in order to reduce significantly maternal mortality, which remains high especially in rural areas (Burkina Faso);
- S - 125.121 Continue efforts to ensure universal access for Tunisian women to sexual and reproductive health-care services, especially during pregnancy (Slovenia);
- S - 125.122 Continue progress in the implementation of the mandatory and free-of-cost year of primary school (Bolivarian Republic of Venezuela);

- S - 125.123 Continue investments to improve public education and public services and facilities (Philippines);
- S - 125.124 Continue efforts to strengthen the education system, in particular access to education in rural areas (South Sudan);
- S - 125.125 Consider including human rights education in its school programmes (Mauritius);
- S - 125.126 Develop a national plan to encourage girls to remain in school, especially in disadvantaged regions of the country (Maldives);
- S - 125.127 Actively develop education, especially basic education, and provide greater support to schools in rural areas (China);
- S - 125.128 Continue to give more attention to boys, girls and women in public policies, especially in the area of education (Senegal);
- S - 125.129 Continue to promote women's rights, especially in rural areas (Djibouti);
- S - 125.130 Focus on human rights in general and the rights of women in particular (Oman);
- S - 125.131 Further intensify its efforts in the implementation of laws and policies aimed at promoting and protecting the rights of women, children and other vulnerable groups (Pakistan);
- S - 125.132 Adopt legislative and policy measures to combat discrimination on the basis of gender and against children and persons with disabilities (Chile);³
- S - 125.133 Provide material and moral support for the Centre for Research, Studies, Documentation and Information on Women in order to preserve and promote the rights of women in Tunisia (United Arab Emirates);
- S - 125.134 Continue consolidating the National Prevention Strategy to sanction all forms of exploitation, especially against women, to protect victims and provide them with assistance (Bolivarian Republic of Venezuela);
- S - 125.135 Reinforce its national policy for gender equity and equality (Côte d'Ivoire);
- S - 125.136 Align national legislation with international instruments on the protection of the rights of women and in favour of the principle of gender equality, in particular by promoting access for women to jobs, increasing their participation in political and economic life and ensuring wage equality between men and women (Mexico);
- S - 125.137 Put in place programmes to fight against poverty and job insecurity, through strengthening the economic empowerment of women (Central African Republic);
- S - 125.138 Eliminate all legislative provisions that perpetuate discrimination against women and adopt a comprehensive law on violence against women (Spain);
- S - 125.139 Promote legislation that is in keeping with the Convention on the Elimination of All Forms of Discrimination against Women, including on preventing violence against women (Japan);

S - 125.140 Work toward eliminating any loopholes in national legislation that might undermine the protection of women's rights and the principle of gender equality, including on domestic violence and marital rape (Rwanda);

S - 125.141 Take further steps in order to encourage women's access to work and eliminate the gender pay gap (Poland);

S - 125.142 Adopt a comprehensive law on violence against women and girls that addresses the importance of consent and provides adequate protection for victims and appropriate penalties for perpetrators (Sweden);

S - 125.143 Amend or repeal articles 227 and 239 of the Criminal Code to explicitly criminalize marital rape and redefine rape in line with international standards (Sweden);

S - 125.144 Continue its efforts to fight discrimination and violence against women (Turkey);

S - 125.145 Put in place specific legislation to address violence against women, which to date remains generally covered under the Criminal Code (Uganda);

S - 125.146 Expedite the adoption of the law to combat violence against women (Ukraine);

S - 125.147 Amend the Criminal Code to abolish provisions allowing a perpetrator of sexual violence to escape prosecution by marrying the victim or allowing the prosecution, trial or execution of the sentence to be dropped when the victim retracts the complaint and explicitly criminalize marital rape (Zambia);

S - 125.148 Strengthen existing legislation to effectively eliminate gender-based violence, including domestic violence, with a view to better protecting victims and holding perpetrators accountable (Austria);

S - 125.149 Continue to address violence against women including measures to ensure that domestic violence and rapes are duly reported (Bangladesh);

S - 125.150 Accelerate the adoption of a general law on violence against women and girls criminalizing all forms of violence, including domestic violence and marital rape and guarantee access to justice (Belgium);

S - 125.151 Repeal articles 227 bis and 239 of the Criminal Code to prevent perpetrators of rape and abduction from avoiding prosecution by marrying their adolescent victims (Belgium);

S - 125.152 Adopt specific legislation aiming at the elimination of violence against women, in line with international standards, which adequately addresses the dimensions of prevention, protection and assistance (Brazil);

S - 125.153 Repeal article 227 of the Tunisian Criminal Code, which allows rape offenders to escape justice if they marry their victims (Canada);

S - 125.154 Adopt a legal framework to fight violence against women, which establishes sanctions for these acts, ensures access to justice for victims and establishes a system for their protection, compensation and rehabilitation (Chile);

S - 125.155 Take the necessary measures to combat violence against women and discrimination in employment (France);

S - 125.156 Intensify efforts to bring domestic legislation in line with international standards to combat all forms of violence and discrimination against women and girls (Georgia);

S - 125.157 Amend the Criminal Code to explicitly criminalize marital rape, to abolish provisions allowing a perpetrator of sexual violence to escape prosecution by marrying the victim (Criminal Code, article 227 bis) (Germany);

S - 125.158 Adopt a comprehensive law on combating all forms of violence against women, including domestic violence and marital rape (Honduras);

S - 125.159 Expedite the adoption of the law to combat violence against women (Kyrgyzstan);

S - 125.160 Expedite the adoption of the law to combat violence against women and ensure that it makes all forms of violence against women a criminal offence, including domestic violence and marital rape, and amend the provisions of the Criminal Code in order to eliminate any possibility of impunity for the perpetrators of violence against women (Liechtenstein);

S - 125.161 Train members of the judiciary and law enforcement officials to make them aware of all types of violence against women, and strengthen public awareness campaigns (Liechtenstein);

S - 125.162 Pursue the process of adoption of the basic law concerning the elimination of violence against women (Morocco);

S - 125.163 Adopt laws that criminalize all forms of violence against women and girls and review criminal procedures to end impunity for such violations (Portugal);

S - 125.164 Ensure the swift implementation and enforcement of legislation criminalizing all forms of violence against women, including domestic violence (Sierra Leone);

S - 125.165 Adopt a comprehensive national policy on the protection of women against all forms of violence and the creation of a supportive environment for women victims of violence by reviewing and strengthening the legal framework (South Africa);

S - 125.166 Adopt the comprehensive law on violence against women and girls (Central African Republic);

S - 125.167 Introduce positive discrimination measures to promote women's access to work (Ukraine);

S - 125.168 Strengthen the participation of women in decision-making circles and leadership positions and enable them to play a role in all fields of development (Bahrain);

S - 125.169 Continue reinforcing and promoting women's rights and women's participation in cultural, social and economic life (Egypt);

S - 125.170 Increase the participation of women in decision-making positions and in the political and public spheres (Indonesia);

S - 125.171 Continue efforts to improve the status of women and promote gender equality at all levels, thereby enhancing women's contribution to the development process (Sri Lanka);

S - 125.172 Continue to implement strategies and plans and to increase women's participation in decision-making positions in the public sector (State of Palestine);

S - 125.173 Continue its efforts with regard to child protection and implement an independent mechanism to monitor children's rights so as to prevent violations of existing regulations and legislation (Maldives);

S - 125.174 Continue to reform laws to ensure that no one, especially children, will be left stateless (Kenya);

S - 125.175 Pursue measures adopted to establish a plan of action to combat child labour, in cooperation with the International Labour Organization (ILO) (Djibouti);

S - 125.176 Enhance its efforts to promote the human rights of persons with disabilities in all fields (Algeria);

S - 125.177 Continue reinforcing the enjoyment by people with disabilities of all their political, social and economic rights (Bahrain);

S - 125.178 Step up protection for persons with disabilities with a rights-based approach in order to ensure their full integration into society (Spain);

S - 125.179 Protect the economic, social and cultural rights of Amazigh minorities (Peru);

S - 125.180 Strengthen national legislation with regard to the rights of domestic workers (Uruguay);⁴

S - 125.181 Expedite the Government's responsibility in combating terrorism and violent extremism (Ethiopia);

S - 125.182 Give greater consideration to the protection of human rights during judicial processes related to terrorism (Japan).

126. The following recommendations will be examined by Tunisia, which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:

N - 126.1 Analyse the ratification of the ILO Domestic Workers Convention, 2011 (No. 189) (Uruguay);⁴

N - 126.2 Expedite the adoption of the asylum bill which is pending before the National Assembly (Uganda);

S - 126.3 Repeal the provisions of the Personal Status Code which prohibit the children of women who have remarried from living with them (Canada);

S - 126.4 Strengthen mechanisms for detaining, identifying and providing assistance to vulnerable migrants at borders, in full compliance with international law (Guatemala);

N - 126.5 Decriminalize the irregular crossing of borders and strengthen mechanisms for detecting, identifying and assisting vulnerable migrants on the borders, including minors, possible asylum seekers and victims of human trafficking (Mexico);

S - 126.6 Take measures in order to strengthen the mechanisms to detect, identify and assist vulnerable migrants at the border, including minors, potential asylum seekers and victims of trafficking (Nigeria);

S - 126.7 Adopt measures to promote and protect the rights of migrants and ensure that unaccompanied minors and families with children are not detained (Nigeria);

S - 126.8 Expediently ratify the Kampala amendments to the Rome Statute of the International Criminal Court on the crime of aggression (Liechtenstein);

S - 126.9 Ensure the protection of lesbian, gay, bisexual, transgender, queer and intersex persons from all forms of stigmatization, discrimination and violence and abstain from random testing (Luxembourg);

N - 126.10 Develop public awareness programmes to address stigmatization of lesbian, gay, bisexual, transgender and intersex persons (Ireland);

S - 126.11 Establish an interreligious council to facilitate interreligious dialogue and harmony (Sierra Leone).

127. The recommendations formulated during the interactive dialogue/listed below have been examined by Tunisia and have been noted by Tunisia:

N - 127.1 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sierra Leone);⁵

N - 127.2 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey);

N - 127.3 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras);

N - 127.4 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Kyrgyzstan);

N - 127.5 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Niger);

N - 127.6 Ratify promptly the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);

N - 127.7 Adhere to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Congo);

N - 127.8 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Bangladesh);

N - 127.9 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Senegal);

N - 127.10 Consider ratifying the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families (Indonesia);

N - 127.11 Continue the process of ratifying the international conventions to which the State is not yet a party, in particular the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Gabon);

- N - 127.12 Ratify the International Convention on the Rights of All Migrant Workers and Members of Their Families and the ILO Domestic Workers Convention, 2011 (No. 189) (Philippines);
- N - 127.13 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Montenegro);
- N - 127.14 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);
- N - 127.15 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Togo);
- N - 127.16 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);
- N - 127.17 Re-consider ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Slovenia);
- N - 127.18 Consider withdrawing the general declaration to the Convention on the Elimination of All Forms of Discrimination against Women (Peru);⁶
- N - 127.19 Continue to develop a national strategy, through the national authority to combat human trafficking, and, as part of that strategy, to ratify the Protocol of 2014 to the Forced Labour Convention, 1930 (United Kingdom of Great Britain and Northern Ireland);
- N - 127.20 Adopt appropriate measures to abolish the death penalty (Togo);
- N - 127.21 Consider abolishing the death penalty (Mozambique);
- N - 127.22 Continue to take practical steps to expedite the abolition of the death penalty (Namibia);
- N - 127.23 Formally abolish the death penalty, with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);
- N - 127.24 Abolish the death penalty and consider withdrawing reservations submitted by Tunisia to the Second Optional Protocol to the International Covenant on Civil and Political Rights as announced by the Government (Austria);
- N - 127.25 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);
- N - 127.26 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France);
- N - 127.27 Abolish capital punishment and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal);
- N - 127.28 Abolish the death penalty in conformity with the Second Optional Protocol to the International Covenant on Civil and Political Rights (Iceland);
- N - 127.29 Abolish the death penalty in its Constitution. Despite a de facto moratorium, people continue to be sentenced to death (Luxembourg);

- N - 127.30 Review its anti-terrorism law and Criminal Code to definitively abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Norway);
- N - 127.31 Decriminalize same-sex relations between consenting adults by repealing article 230 of the Criminal Code (Denmark);
- N - 127.32 Amend or repeal article 230 of the Criminal Code to end criminalization of same-sex sexual relations (Sweden);
- N - 127.33 Amend article 230 of the Criminal Code to end criminalization of same-sex sexual relations (United States of America);
- N - 127.34 Repeal article 230 of the Criminal Code criminalizing same-sex sexual relation (Belgium);
- N - 127.35 Abolish article 230 of the Criminal Code that criminalizes homosexuality (Netherlands);
- N - 127.36 Repeal article 230 of the Tunisian Criminal Code and eliminate discriminatory practices based on sexual orientation and gender identity, such as anal inspections (Canada);
- N - 127.37 Modify or repeal article 230 of the Criminal Code in order to decriminalize same-sex relations between consenting adults (Germany);
- N - 127.38 Repeal articles 236 and 230 of the Criminal Code to put an end to the criminalization of adultery and same-sex relationships, as well as to methods of collecting evidence that constitute a violation of the dignity and physical integrity of persons (France);
- N - 127.39 Derogate article 230 of the Criminal Code (Costa Rica);
- N - 127.40 Repeal article 230 of the Criminal Code (Ireland);
- N - 127.41 Repeal article 230 of the Criminal Code, which criminalizes same-sex relations between consenting adults and discontinue the practice of forced anal exams to prove homosexual behaviour (Norway);
- N - 127.42 Implement additional measures aimed at eliminating discrimination and violence based on sexual orientation (Brazil);
- N - 127.43 Eliminate all legislation that penalizes and criminalizes same sex relationships as well as all discriminatory legislation as a result of sexual orientation (Spain);
- N - 127.44 Repeal legislation criminalizing consensual sexual conduct between same-sex adults (Iceland);
- N - 127.45 Take steps to prevent the harassment or discrimination of lesbian, gay, bisexual, transgender and intersex persons and prosecute perpetrators (Iceland);
- N - 127.46 Take all necessary measures to prevent, investigate and prosecute violence against lesbian, gay, bisexual, transgender and intersex persons (Ireland);
- N - 127.47 Take immediate measures to derogate from norms that criminalize and stigmatize lesbian, gay, bisexual, transgender and intersex persons and investigate and sanction the perpetrators of acts of discrimination and violence against them (Argentina);

N - 127.48 Introduce legislation to protect against discrimination based on sexual orientation, gender identity and intersex status (Australia);

N - 127.49 Adopt legislative and policy measures to combat discrimination based on sexual orientation and gender identity (Chile);⁷

N - 127.50 Address all sexual and gender based-violence and discrimination, especially against women, by reforming the Criminal Code and Personal Status Code to bring it into line with the Convention on the Elimination of All Forms of Discrimination against Women, including by criminalizing marital rape and abolishing provisions allowing a perpetrator of sexual violence to escape prosecution by marrying their victim (Finland);

N - 127.51 Eliminate all forms of discrimination against women, including by amending the Personal Status Code to grant equal inheritance rights to women and by repealing the circular from 1973 to allow women to marry non-Muslim spouses (Germany);

N - 127.52 Fully eliminate discrimination between women and men with regard to inheritance rights (Poland);

N - 127.53 Improve gender equality both in legislation and practice, including by granting men and women equal property and family rights (Republic of Korea);

N - 127.54 Ensure that the legislation governing the military court system is explicit in ensuring that military courts only have jurisdiction over military personnel who have committed military offences, especially when such offences do not amount to human rights violations, and that no civilian cases are tried in the military court system (Botswana);

N - 127.55 Adhere and adapt its national legislation to the Arms Trade Treaty (Guatemala).

¹ The recommendation, as read out, was: “Consider withdrawing the general declaration to the Convention on the Elimination of All Forms of Discrimination against Women and ratify the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (the Maputo Protocol)” (Peru).

² The recommendation, as read out, was: “Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure” (Sierra Leone).

³ The recommendation, as read out, was: “Adopt legislative and policy measures to combat discrimination on the basis of gender and against children and persons with disabilities, and discrimination based on sexual orientation and gender identity” (Chile).

⁴ During the interactive dialogue, the recommendation was read as follows: Analyse the ratification of the ILO Domestic Workers Convention, 2011 (No. 189) and strengthen national legislation with regard to the rights of domestic workers (Uruguay).

⁵ The recommendation, as read out, was: “Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure” (Sierra Leone).

⁶ The recommendation, as read out, was: “Consider withdrawing the general declaration to the Convention on the Elimination of All Forms of Discrimination against Women and ratify the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (the Maputo Protocol)” (Peru).

⁷ The recommendation, as read out, was: “Adopt legislative and policy measures to combat discrimination on the basis of gender and against children and persons with disabilities, and discrimination based on sexual orientation and gender identity” (Chile).



Promoting and strengthening
the Universal Periodic Review
<http://www.upr-info.org>

Disclaimer: This classification was made by UPR Info based on United Nations documents and webcast. For more information about this document, consult the “Methodology” on our website: www.upr-info.org. For questions, comments and/or corrections, please write to info@upr-info.org