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### **Draft report of the Working Group on the Universal Periodic Review\***

### **Afghanistan**

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eighteenth session from 27 January to 7 February 2014. The review of Afghanistan was held at the 18<sup>th</sup> meeting on 17 January 2014. The delegation of Afghanistan was headed by His Excellency Judge Mohammad Qasim Hashemzai, Senior Advisor, Ministry of Justice. At its 18<sup>th</sup> meeting held on 30 January 2014, the Working Group adopted the report on Afghanistan.
2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Afghanistan: Benin, Estonia, and United Arab Emirates.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Afghanistan:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/18/AFG/1);
  - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/18/AFG/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/18/AFG/3).
4. A list of questions prepared in advance by Canada, Denmark, Liechtenstein, Netherlands, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, Germany, Czech Republic, Belgium, Mexico, Slovenia, Spain, United States of America, was transmitted to Afghanistan through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The Head of the delegation of the Government of Afghanistan affirmed the country's commitment to the promotion and the protection of human rights, in particular women and child rights. This commitment is evident at national level in the provisions of the Constitution and various laws, policies and plans that have been enacted in accordance with the constitution and international obligations. The Government has taken major steps to work pragmatically on the implementation of human rights Conventions and to prepare and present national reports on the status of their implementation.
6. Afghanistan went through the first cycle of UPR in May 2009, and received 143 recommendations. At that time, Afghanistan declared support to most of these recommendations, not supporting only 10 of them, and have taken recommendations seriously by undertaking a number of initiatives in various ministries and institutions in Afghanistan. To prepare the report for the second cycle of Universal Periodic Review, the Government of Afghanistan established a national structure, where civil society and human rights institutions were involved in the process of data collection and report analysis. The report was prepared, based on an action plan the government had created for the follow up of the recommendations in 2012.

7. Regarding Civil and Political rights, the government of Afghanistan has actively promoted and protected civil and political rights in Afghanistan. Afghanistan is a good example in the region for promoting freedom of speech, freedom of the media and associations with no censorship.

8. The President of Afghanistan constantly meets with national and international media, human rights activist as well as women's rights defenders. The High Council of Media composed of civil society, media groups and the Ministry of Information and Culture is working to protect the rights and activities of the media and the journalists.

9. Afghanistan is currently preparing for the presidential and local provincial council elections. The government has invited international observers to monitor the process of fair and free elections in Afghanistan. According to Independent Election Commission (IEC), during this current year there are 3,305,799 citizens who have received voting cards to participate in the elections, 1,140,854 of which are women. Human rights organisations and civil society activists will closely monitor the upcoming elections. The political opposition groups freely organise their political programmes without any intervention from the government. There are 59 registered political parties in Afghanistan.

10. Afghan citizens have access to health care, education, employment, business firms and trade unions.

11. Regarding the right to education, the Constitution guarantees education as the right of all citizens, and is provided free of charge and in native languages up to BA level.

12. Based on recent data, Afghanistan has carried out the following activities from 2009–2013 to improve the quality and quantity of education:

- The increase in construction of schools from (11,460) schools in 2009 to (15,169) in 2013 out of which (2,267) are allocated to girls;
- The number of students increased from (6,504,715) in 2009 to (8,643,940) in 2013, of whom 3,353,991 are female students;
- Printing (135 m) books from 2009- 2013 with a total cost of 90 million dollars;
- The number of enrolled students in vocational schools increased from ( 18,296) in 2009 to (71,625) in 2013, 11 per cent of whom are female;
- The number of training centres for illiterates increased from (20,031) in 2009 to (26,486) in 2013 providing courses to (563,460) students;
- Total enrolment in higher education increased from 52000 in 2009 to 220000 in 2013.

13. Regarding the right to health, the Constitution guarantees that the Government is obliged to provide free health services for all Afghan citizens without any discrimination.

14. In respect to health services, various policies and strategies have been developed, the most important examples are: development of public health vision entitled "Health for All Afghans" for 2012 – 2020; preparation of five-year implementation health program or (System Enhancement for Health Action in Transition) for 2013 – 2018; drafting Health and Human Rights Strategy and Gender Strategy; and Policy on Funding Health in Afghanistan for 2012 – 2020.

15. Recent data indicates a substantial improvement in the health sector, for example, mortality rate of 1600 deaths per 100,000 live births has dropped to 327 deaths per 100,000. Under 5 years of age, child mortality rate of 257 deaths per 1000 has reduced to 97 deaths per 1000. Under one year of age, child mortality rate of 129 deaths per 1000 is reduced to

77 deaths per a 1000. 46 per cent infants receive measles vaccination and polio vaccination has increased from 50 percent to 95 percent.

17. However, the main challenge is lack of security in some of the remote areas of Afghanistan. The terrorist groups target schools, hospitals and other public services institutions. Teachers, health workers, women programme activists, and child-care staff are considered to be the most targeted groups.

18. The government continues the process of legal reform in the light of the International Conventions that Afghanistan has ratified. The government has reviewed 73 laws, 34 regulations and 27 strategies including the Civil Code; Penal Code; Juveniles Code; Law on Elimination of Violence against Women; Citizenship Law and dozens of other laws.

19. Women Rights and Gender Equality remain a top priority for the government. Afghan women constitute 27 per cent of legislators in the Parliament. Women occupy 25 per cent of government jobs, including 9 per cent at decision making level. Girls make up about 40 per cent of the nearly 9 million children going to school in Afghanistan today. 30 per cent school teachers and 15 per cent of university lecturers are women. Afghan women make up 24 per cent of the health sector, 5 per cent in security, 20 per cent in higher education, 35 per cent in vocational trainings, and 30 per cent in agriculture. At least 50 per cent are a force behind Afghanistan's vibrant independent media and active civil society groups.

20. In addition to women's greater participation in the above-mentioned sectors, the government has adopted various measures for protection of women and prevention of violence against them in the past four years. The majority of which include 1) adoption of EVAW Law, 2) establishment of Special EVAW Prosecution Offices, 3) establishment of High EVAW commission and expansion of its provincial offices in 23 provinces, 4) establishment of 16 protection centres/shelters for women victims of family violence, 5) establishment of departments of women affairs in 32 provinces, 6) establishment of gender units in 22 ministries, and 7) establishment of gender and human rights unit within police academy.

21. The government is working towards developing the National Action Plan on Women, Peace and Security for post 2014, in order to adopt additional measures for greater participation and protection of women, prevention of violence against women and to provide relief and recovery services.

22. The Government has adopted appropriate measures to ensure that children are protected against all forms of discrimination or punishment based on the legislative provisions of the Labor Law, Juvenile Code, Human Trafficking Law, and policy provisions and activities of National Strategy on Protection of Children, National Strategy for Children at Risk, and the National Action Plan on Children in Armed Conflicts. Afghanistan also received a 15 point road map on further implementation of the National Action Plan on Children in Armed Conflicts from the United Nations that the government is going to approve and implement.

23. The Government continues to stand firm to fight corruption. Measures such as adoption of the Anti-Corruption Law and establishment of Civil and Military Anti-Corruption Prosecution Units and Tribunals, and other anti-corruption actions have been established.

24. The Constitution prohibits torture, inhuman, humiliating and cruel punishment under any circumstances. In order to track and access torture related cases, Human Rights Units and Supervisory Boards have been established in the Ministry of Interior Affairs, National Directorate of Security, and the Ministry of Defense. The preparation of the 2<sup>nd</sup> report of

Afghanistan on the International Convention against Torture (CAT) is being processed and will be presented in September 2014.

25. Afghanistan still faces a number of challenges which have slowed down progress in the area of human rights and the implementation of transitional justice due to terrorism, extremism, narcotics and insecurity in some parts of the country.

26. In addition, poverty and corruption have made it difficult to tackle all these challenges. Scarcity of resources to finance a nationwide welfare programme, is another challenge.

27. Afghanistan is a war-torn country that has achieved enormous gains and successes in past 12 years in various areas, including human rights that have come in the face of exceptionally tough conditions and ongoing challenges.

28. Afghanistan is strongly determined to take effective measures in collaboration with international community to strengthen its capabilities.

29. The head of the delegation concluded his introductory remarks by stating that the implementation of programmes and reforms towards the promotion and protection of human rights in Afghanistan requires cooperation and participation of all governmental bodies, the civil society, and also direct cooperation and support from the international community, particularly international organisations active in the area of human rights, hoping that Afghanistan will gradually witness greater improvement in human rights.

## **B. Interactive dialogue and responses by the State under review**

30. During the interactive dialogue, 88 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

31. Azerbaijan commended measures taken in the areas of health, poverty reduction and child trafficking, and action to improve the social, economic and educational status of IDPs and refugees.

32. Bangladesh noted new legislation and measures concerning violence against women, the rights of persons with disabilities, children and women, gender equality, access to health care and poverty reduction.

33. Belgium welcomed progress made since the first UPR cycle.

34. Sri Lanka welcomed progress made in combating terrorism and insecurity.

35. Morocco welcomed the adoption of several national plans of action.

36. Brazil noted improved school and university enrolments..

37. Canada enquired about measures to ensure implementation of the EVAW Law.

38. Chile recognized Afghanistan's efforts to advance human rights.

39. China welcomed efforts to strengthen human rights mechanisms..

40. Comoros noted that Afghanistan's achievements were particularly impressive, given its situation of quasi-civil war.

41. Croatia enquired about measures to prevent girls from being charged with "running away"/"moral crimes".

42. Cuba welcomed the ratification of human rights treaties and the adoption of legal norms in the areas of health, education, employment and discrimination against women.

43. The United States of America was concerned about violence against women, punishment of victims of trafficking and family abuse and violations by national security forces.
44. Denmark was concerned about the lack of equal opportunities for women, domestic violence, trafficking, “honour killings” and forced marriage.
45. Djibouti expressed appreciation of action taken to restore the rule of law and to promote human rights.
46. Ecuador welcomed the establishment of the High Peace Council and human rights support units in various ministries, as well as the adoption of electoral reforms.
47. France commended the promulgation of the 2009 EVAW Law.
48. Estonia regretted setbacks in implementing core international human rights instruments.
49. Ethiopia encouraged Afghanistan to take further action to implement revised legislation, to alleviate poverty and to promote sustainable peace and development.
50. Finland enquired about implementation of United Nations Security Council resolution 1325, related resolutions and legislation on eliminating violence against women.
51. Egypt commended efforts to combat terrorism, narcotics and corruption.
52. Germany noted that more women enjoyed their human rights and actively engaged in society, but a commitment to gender equality was lacking.
53. Greece noted that women continued to be subjected to forced marriage and honour killings.
54. Hungary was concerned about arbitrary police arrests, ill-treatment in detention, violence and discrimination against women, IDP rights and a culture of impunity.
55. Iceland was concerned about gender equality, violence against women, child marriages, low female representation and access to education.
56. India commended the adoption of electoral legislation and the establishment of the Election Complaints Commission.
57. Indonesia commended newly-created human rights ministerial units, strategies and programmes and strengthened legal and administrative frameworks.
58. Iran (Islamic Republic of) expressed appreciation of the National Development Strategy, the national priority programmes, judicial reforms and action to counter corruption and drug trafficking.
59. Iraq commended efforts to combat terrorism, which presented the greatest challenge to the protection of human rights.
60. The delegation of Afghanistan responded to some questions raised in the interactive dialogue. Regarding the EVAW law, the delegation stated that the government strongly believes in the implementation of EVAW law, arguing that there is no exoneration from the crime of violence against women.
61. Regarding elections and access to voting for women, the delegation noted that polling stations will be staffed by female workers and women will be able to vote separately.
62. Regarding human rights defenders and female politicians, the government has assigned three police protection officers for all provincial departments of the Ministry of

Women's Affairs. Security forces have been trained and advised to take necessary measures to support and protect female politicians.

63. Members of the delegation confirmed that they recognised violence against women and condemn it as well as any other form of discrimination against women. The delegation affirmed Afghanistan's commitment to implement all international Conventions that Afghanistan is party to.

64. The delegation affirmed that the people of Afghanistan are inspiring survivors and not hopeless victims. The government remains adamant on implementing human rights standards and is constitutionally bound by all international treaties that were ratified and the Universal Declaration of Human Rights.

65. The delegation also confirmed that the National Action Plan for Peace and Security includes women in all levels of the negotiations and decision making process.

66. Regarding the use of torture, the delegation stated that any confession obtained through any act of torture, inhuman or degrading treatment or punishment is not valid and inadmissible as evidence at a court of law. All prison officers have guidelines not to engage in torture and there is punishment in case torture is committed to obtain confession.

67. Ireland was concerned that the EVAW Law had not been effectively implemented.

68. Italy asked whether relevant ILO conventions and education measures would be implemented to address child labour.

69. Japan noted judicial delays and failures and detainee torture. It commended measures promoting and protecting women's rights.

70. Kazakhstan welcomed the incorporation of numerous provisions of international human rights treaties in domestic legislation.

71. Kuwait commended the establishment of the High Peace Council and human rights support units in ministries as well as the development of a public health vision.

72. Latvia welcomed new legislation and a plan to combat violence against women and accession to the Rome Statute.

73. Libya urged the Government, the international forces and the Taliban to refrain from targeting civilians and to reduce the number of civilian victims, particularly children and older people.

74. Lithuania deplored violence against women, increased control of the media.

75. Malaysia welcomed measures to improve detention conditions, prohibit recruitment of child soldiers and strengthen law enforcement.

76. Maldives urged compliance with CEDAW obligations, continued efforts to address the situation of children, enforced labour and access to education.

77. Mauritania encouraged Afghanistan to take more vigorous action to implement human rights legislation.

78. Mexico welcomed the ratification of the CRPD, the UNESCO Convention against Discrimination in Education, and Protocols I and II Additional to the 1949 Geneva Conventions.

79. Montenegro asked how legal reforms would incorporate international standards, in particular those in the CEDAW.

80. Bosnia and Herzegovina requested further details on how the Afghan Independent Human Rights Commission addressed challenges such as insecurity and obstacles to good governance.
81. Nepal appreciated reforms to strengthen institutional, legislative and policy mechanisms and special attention given to vulnerable groups.
82. The Netherlands welcomed advances in human and women's rights.
83. New Zealand welcomed progress in women's rights, the work of the Independent Human Rights Commission and legislation on prisons and detention centres.
84. Nicaragua noted the State's limited institutional, legislative and financial capacity to address persistent serious challenges stemming from drug trafficking and terrorism.
85. Nigeria urged Afghanistan to promote increased participation by women in the provincial council legislature.
86. Norway was concerned about violence against women and the failure to investigate and prosecute cases.
87. Pakistan commended the legislative action taken to eliminate discrimination against women and to improve their political, social and economic status.
88. The Philippines welcomed ratification of international human rights instruments and the adoption of the EVAW Law.
89. Poland was concerned about failure to implement the EVAW Law, persistent gender inequalities and the recruitment of child soldiers.
90. Portugal expressed concern about the setbacks to women's rights and the number of acts of violence against women and girls.
91. Qatar commended the vigorous action taken to protect children from exploitation in the armed conflict.
92. The Republic of Korea was concerned at the EVAW Law's failure to criminalize "honour killing", early forced marriage and domestic violence.
93. Romania noted the serious challenges faced in building a fully-functional State.
94. The Russian Federation emphasized the importance of the national dialogue between the Government and representatives of civil society.
95. The delegation confirmed that Afghanistan implements the law on human trafficking as one way to combat trafficking of people in Afghanistan. Afghanistan also enforces and implements all the provisions of the Convention on Economic Social and Cultural Rights. Recently the government has conducted campaigns against illegal migration.
96. The government of Afghanistan has worked closely with different partners in order to create the Support Centres for victims of trafficking and illegal migration. These centres support the victims in terms of education and integration.
97. Regarding the situation of persons with disabilities, the delegation confirmed that indeed there is a huge number of disabled persons in Afghanistan. There are currently 105000 registered disabled persons in Afghanistan.
98. Regarding Child Labour, the delegation stated that article 49 of the Constitution and article 4 of labour law prohibit child labour in Afghanistan. Afghanistan applied the minimum age of child labour as per the ILO convention. The government is currently working with ILO and UNICEF in order to draft a new child code that directly addresses all child right related issues.

99. Saudi Arabia commended the steps taken to enact new legislation and introduce institutional reforms.
100. Singapore noted efforts to prevent police and security force abuses and illegal and arbitrary detentions.
101. Slovakia asked how allegations of torture and ill-treatment would be investigated.
102. Slovenia appreciated efforts to enhance women's status.
103. South Sudan appreciated the adoption of measures to promote women's rights and gender equality.
104. Spain welcomed the reduced imposition of the death penalty in recent years..
98. Bhutan commended initiatives on the rights of vulnerable groups and on eliminating violence against women.
105. The State of Palestine encouraged Afghanistan to incorporate the provisions of the UNESCO Convention against Discrimination in Education.
106. The Sudan commended the ratification of the CRPD and its Optional Protocol.
107. Australia acknowledged progress in strengthening women's rights.
109. Switzerland was concerned at discrimination and violence against women.
110. Tajikistan noted steps to strengthen legislation to eliminate discrimination against women.
111. Thailand commended the adoption of human rights-related legislation and accession to the CRPD, but noted discrimination against women, ill-treatment of female prisoners and violence against children.
112. The Former Yugoslav Republic of Macedonia encouraged a moratorium on executions with a view to abolishing the death penalty.
113. Tunisia encouraged Afghanistan to take more vigorous action to implement the EVAW Law.
114. Turkey commended strategies and programmes placing priority on human rights, but noted that the EVAW Law remained largely unenforced.
115. Turkmenistan commended the establishment of the High Peace Council and of human rights support units in various ministries, as well as the adoption of electoral reforms.
116. The United Arab Emirates enquired about the role assigned to the human rights system in the transformation decade planned for the period 2015-2015.
117. The United Kingdom of Great Britain and Northern Ireland asked how the authorities would react to the 2013 report on detainee mistreatment.
118. The Czech Republic recognized achievements since 2009, but noted that more progress was needed to implement key UPR recommendations.
119. Uruguay welcomed the legislative and other reforms adopted in the light of international treaties and the draft Shiite Personal Status Law.
120. Uzbekistan commended the strengthening of the Afghan Independent Human Rights Commission, the establishment of human rights units in ministries and the reforms of the electoral system.

121. Viet Nam believed that security, reconciliation and better social, economic and cultural conditions would be the foundation for full enjoyment of rights and freedoms.

122. Yemen welcomed the enactment of the Juveniles Code, the EVAW Law, the Law on Financing Terrorism, the Labour Code, the Law on Anti-Corruption Strategy and the Law on Abduction and Human Trafficking.

123. Albania requested more information on plans to address impunity in “honour killings”. It was concerned about acts against freedom of expression.

124. Algeria noted that further efforts were required to promote human rights, particularly in the areas of judicial reform, the fight against discrimination and the strengthening of human rights institutions.

125. Argentina encouraged Afghanistan to take more vigorous action to implement the EVAW Law.

126. Sweden welcomed the enactment of the EVAW Law, but noted that women continued to suffer from discrimination and abuse.

127. Austria was concerned about impunity and called for further efforts to ensure accountability.

128. Bahrain noted that, notwithstanding intensified efforts to promote gender equality, discrimination against women and girls persisted.

129. Kyrgyzstan commended the measures taken to improve the quality and quantity of education and to strengthen the legal and institutional framework pertaining to educational equality and non-discrimination.

130. Afghanistan’s closing remarks

131. The head of delegation recalled that Afghanistan had made its first and second periodic report on CEDAW implementation last year and would provide its national action plan for implementation of CEDAW. The committee responsible for reviewing the Penal Code and other laws would review the codes in the light of international human rights conventions to which Afghanistan is party to. CEDAW was also included in the Committee working under the Ministry of Justice and Afghanistan aimed to sign the optional Protocol to CEDAW.

132. The delegation affirmed that indeed forced marriage and child marriage are still major challenges in Afghanistan. However, the government of Afghanistan has taken particular measures regarding this issue. Signing of the Prevention of Forced Marriage and Child Marriage Protocol between related organizations; including the forced and child marriage as a crime in the Family Law and the EVAW Law; raising awareness through media campaigns, workshops, seminars and campaigns at province level. Those were the measures that Afghanistan has recently undertaken to combat forced and child marriage. Regarding “running away”, the delegation confirmed that running away from home is not a crime under the law. The Government would not punish a woman or a girl just for running away from home, unless there were other crimes associated with this action. Regarding the media, the country’s records have improved over a period of 12 years, with more than 55 TV stations, 150 radio stations and more than 1,000 printing and publication companies in the country. Article 34 of the Constitution recognizes freedom of speech. Journalism-related issues were regulated by the Media Law. A number of amendments were made to the Media Law recently by the benefit of media organizations and journalists. The delegation confirmed that media organizations were free in preparing their programmes without any censorship or intervention from the Government. However, there are oversight and support activities of media organizations through the Ministry of Information and Culture and the High Council of Media.

133. Regarding women's role in the peace process in Afghanistan, the delegation confirmed that the Government of the Islamic Republic of Afghanistan believes in the Afghan-led peace process, with the inclusive participation of women and their responsible structure of peace negotiations. In addition to the nine female members of the High Peace Council, there is a good number of women in the Provincial Peace Committee and the Secretariat of the High Peace Council on national and provincial levels. The High Peace Council activities are guided by the gender balance strategy that guarantees the presence of women on the negotiations table.

134. Regarding the issue of honour killing, the head of the delegation stated that the Criminal Code criminalises honour killings and perpetrators of such crimes are not exonerated. The Criminal Code is currently under review and the article on honour killing most probably would be revised and would be made in compliance with Afghanistan's commitment to the international community and CEDAW.

135. Regarding the Independent Human Rights Commission, the head of delegation stated that the Commission was established based on the Afghan Constitution and United Nations General Assembly resolution 134. The Paris Principles had also been considered during the recent selection of the Commission. The Commission is the most influential institution monitoring human rights in Afghanistan, preserving its independence, similar to other independent institutions. A total of US\$2 million had been allocated for its budget, US\$500,000 for 2012 and US\$1.5 million for 2013.

136. Regarding the legal aid programme, the delegation stated that in Afghanistan there is a programme that had been set up and there is a law on legal aid that benefited women and girls free of charge and, there were lots of concessions for that.

137. The head of the delegation concluded his remarks by thanking all international partners and monitoring human rights bodies for their continued and fruitful assistance and cooperation, which helped Afghanistan, strengthen its commitment to human rights. He extended his gratitude for all those countries that support and help Afghanistan and all those countries that are interested in the issues of Afghanistan and all those who participated in the working group. The head of the delegation thanked the President of the Council and the participants for the interactive discussions. HE stated that the people of Afghanistan strive towards development and human rights in a war torn nation affected by years and generations of war and terrorism. He affirmed Afghanistan's commitment to the respect promotion and protection of human rights.

## **II. Conclusions and/or recommendations**

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

**138.1 To further build up on its effort to fully protect human rights in the country (Ethiopia);**

**138.2 Continue and deepen efforts to firmly root human rights values and principles in the Government system, including through human rights training to state officials (Indonesia);**

**138.3 Make further efforts to ensure the implementation of the legal framework which guarantees human rights, including the Constitution (Japan);**

**138.4 Further fulfil the internationally taken human rights obligations as well as integrate them into the national legislation (Kazakhstan);**

- 138.5 Further strengthen its efforts to review its legislative framework and make necessary adjustments to it in order to ensure that it is in conformity with Afghanistan's international human rights obligations (Norway);
- 138.6 Accelerate domestication process of international human rights laws to which Afghanistan is a member, in particular the International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child (Viet Nam);
- 138.7 Continue the process of making domestic laws compliant with the international conventions to which Afghanistan is party to (Bahrain);
- 138.8 Take necessary measures to implement a national public awareness campaign on human rights, especially women and children's rights (Iran (Islamic Republic of));
- 138.9 Support the establishment of human rights units within more ministries (Iraq);
- 138.10 Take into account the outcomes of this universal periodic review in the process of transformation and national reconstruction and pay particular attention to the most vulnerable social groups among which, women and children (Nicaragua);
- 138.11 Continue to spread human rights awareness throughout the country and include it in the national curriculum (Pakistan);
- 138.12 Continue its constructive engagement with its regional and international partners to meet the challenges in the promotion and protection of human rights (Philippines);
- 138.13 Attracting aid and attention of the international community and donors for further strengthening and supporting human rights institutions working within the framework of the Afghan Government for protection, observance and realization of the human rights (Saudi Arabia);
- 138.14 Further empowerment of the Legislation Department of the Ministry of Justice in the area of specialized human resources, professional staff and other necessary facilities (Saudi Arabia);
- 138.15 Continue its efforts to enhance the rule of law and ensure peace and safety in its society (Singapore);
- 138.16 Take all the necessary steps to ensure the effective implementation of the Action Plan to halt child recruitment and other violations against children (Slovenia);
- 138.17 Strengthen the technical capabilities of the judicial and legal institutions (State of Palestine);
- 138.18 Observe all human rights principles, international conventions and raise awareness among students in higher education institutions regarding human rights values (Turkmenistan);
- 138.19 Increase efforts in the process of technical support and consultation services in order to support the reforms in the area of human rights in order to align it with international standards (United Arab Emirates);

- 138.20 Take measures to ensure coordination of activities of national and international human rights organisations working on different aspects of human rights in Afghanistan (Uzbekistan);
- 138.21 Continue taking steps in order to fully protect and promote the rights of women and children, especially by protecting them from violence (Kazakhstan);
- 138.22 Extend a standing invitation to all Special Rapporteurs of the Human Rights Council (The former Yugoslav Republic of Macedonia);
- 138.23 Extend an open invitation to all special procedures of the Human Rights Council and establish an adequate mechanism to bring to date all national reports to the Committees and to respond to information requests of the special procedures (Uruguay);
- 138.24 To continue its efforts to enable women of enjoying their legitimate rights, and to highly prioritize awareness raising among all sections of the community regarding the women's rights, and the importance of their realization within the cultural and civil context of the Afghani society (Sudan);
- 138.25 Continue its efforts in establishing and providing public services through social security, especially for women and children (State of Palestine);
- 138.26 Work towards earliest possible adoption and effective implementation of the Law on Social Protection (Viet Nam);
- 138.27 Endeavour to improve on the institutions of health care delivery in order to facilitate accessible health services for its citizens especially women and children (Nigeria);
- 138.28 Strengthen efforts to eliminate illiteracy, particularly in rural areas (Kyrgyzstan);
- 138.29 Increase the focus on persons with disabilities and work towards integrating them in the community (Iraq);
- 138.30 Further increase its efforts to ensure access to education and health care to all including people with disabilities (Bhutan);
- 138.31 Guarantee that repatriated Afghan refugees, particularly women and girls, have adequate access to sanitation services, education, food, housing, freedom of movement and opportunities (Uruguay);
- 138.32 Continue the measures with regard to strengthening self-reliance of the returning refugees and IDPs (Azerbaijan);
- 138.33 Establish measures for displaced persons to have particularly better access to the land and to improve their shelters and infrastructures nearby (France);
- 138.34 Adopt comprehensive legislation or policies with a view to facilitating durable solutions for internally displaced persons (Austria);
- 138.35 Adopt further national strategies for eradication of poverty and improvement of livelihoods for citizens (Morocco);
- 138.36 Further promote economic and social development and urge the international community to honour its commitment of assistance, making more investment in the field of welfare and assisting the sustainable development for Afghanistan (China);

- 138.37 Take into full account children, girls in particular, the most marginalised groups, including persons with disabilities, in the strategy and programmes of development in the area of health and education (Djibouti);
- 138.38 Continue implementing national policies and programmes to improve the living conditions of the people (Kuwait);
- 138.39 Adopt more effective and strict good governance policies in order to ensure prosperity for the Afghan people (Mauritania);
- 138.40 Give continuity to fighting poverty and improving the quality of life of people (Nepal);
- 138.41 Advance in the coordination of the different government departments with competencies on the issue of water (Spain);
- 138.42 To strengthen its efforts for poverty eradication and to and guarantee the right of education all over the country (Sudan);
- 138.43 Make prioritized efforts to achieve Millennium Development Goals as soon as possible (Viet Nam);
- 138.44 Take all necessary measures to ensure equal access to health and education (Bahrain);
- 138.45 Continue strengthening the protection of vulnerable groups, such as the group of victims of war (Spain);
- 138.46 Energetically drive forward judicial reform, combat corruption and enhance the capacity of the judiciary (Germany);
- 138.47 Take all the appropriate measures to ensure the creation of a functional and independent judiciary (Romania);
- 138.48 Take measures to improve the criminal justice system, including through the implementation of the 164 articles outlined in Presidential Decree No. 45 of August 2012 (Japan);
- 138.49 Make every effort possible to ensure the human rights of prisoners and detainees are fully observed in the criminal justice system (New Zealand);
- 138.50 Continue its efforts in the field of poverty reduction so that the vulnerability of children to risks of poverty, human trafficking and kidnapping is decreased (Azerbaijan);
- 138.51 Continue its measures in laws and other pieces of legislation concerning the promotion of equity, the situation of women and their education opportunities (Azerbaijan);
- 138.52 Continue on its efforts to empower women and underprivileged segments of the society (Ethiopia);
- 138.53 Continue taking steps aiming to achieve further economic empowerment of women (Egypt);
- 138.54 Take all possible actions to eliminate all forms of violence against women and amend all Laws that discriminate against women (Greece);
- 138.55 Continue its efforts in improving the situation of women (India);
- 138.56 Continue steady enforcement and implementation of measures and legislation designed to promote and protect women's rights (Japan);

- 138.57 Continue its efforts to strengthen the domestic legal system to protect women and girls and promote greater gender equality (Singapore);
- 138.58 Continue the efforts aiming at promotion and protection of the rights of women (Algeria);
- 138.59 Take initiatives to improve recruitment and retention of female police officers (Sweden);
- 138.60 Comply with its CEDAW obligations, undertake further steps to empower women at all levels by creating more employment opportunities and increasing their rights in participation in decision making (Bahrain);
- 138.61 Ensure that all of Afghanistan's religious communities are able to practice their religion freely and that their right to freedom of religion or belief is protected in any new legislation or legislation currently under review (Canada);
- 138.62 Ensure freedom of religion in the legislation and in practice and promote tolerance through awareness raising campaigns and free access to information (Mexico);
- 138.63 Implement and enforce provisions on freedom of religious worship set out in the Constitution and international human rights treaties to which it is a party (Czech Republic);
- 138.64 Continue efforts to guarantee health care at both levels identified (Cuba);
- 138.65 Further facilitate access to health services and education, especially for women and children (Iran (Islamic Republic of));
- 138.66 Take further steps to provide access to education and healthcare for all citizens, particularly in rural areas where there is an immediate need (Pakistan);
- 138.67 Continue strengthening access to education, in particular, to orphans, children with disabilities and children of missing parents (South Sudan);
- 138.68 Introduce and adopt a gender strategy that would be implemented in the higher education institutions (Turkmenistan);
- 138.69 Enhance efforts to eliminate discrimination against Afghan women and to promote leadership and equal participation in political, peace and reconciliation processes (Croatia);
- 138.70 Protect the rights of women by ensuring their participation in political life and in all the peace and reconciliation processes as well as equal opportunities in the area of education and employment (Djibouti);
- 138.71 Implement the Security Council resolutions on Women, Peace and Security, by ensuring particularly participation of women on an equal footing and at every level of responsibility in the reconciliation process (France);
- 138.72 Fully implement the National Action Plan of the United Nations Security Council Resolution 1325 on women, peace and security (Estonia);
- 138.73 Implement UN Security Council Resolutions on Women, Peace and Security, including by supporting the participation of women in peace talks, and continuing to increase the proportion of women playing an active role in

the security forces, in particular the police, while ensuring their safety and dignity in their place of work (Ireland);

138.74 Implement the Security Council resolutions on Women, Peace and Security, in particular by supporting the participation of women in peace negotiations and ensuring the necessary framework to increase the participation of women in political and judicial life and within security institutions of the country, taking into account their security as well as their personal dignity (Belgium);

138.75 Revise the legislation on child marriage and the legal age of marriage so as to be consistent with international standards, with the aim of both harmonizing the legal framework by eliminating the co-existence of different prescriptions in Civil Law and in *Shari'a* regulations and preventing the practice of early and forced marriages (Italy);

138.76 Enact and implement legislation that protects children, and set the minimum age for marriage at 18 for both girls and boys (Sweden);

138.77 Ensure that any physical and moral harm against journalists or human rights defenders is subjected to an investigation and that those responsible are duly prosecuted (Belgium);

138.78 Ensure that no governmental entity endorses the restriction of freedom of expression in any way whatsoever (Belgium);

138.79 Ensure that no government entities restrict the right to freedom of expression and that media regulations conform to Afghanistan's international human rights obligations, and ensure prompt and effective investigations of threats, attacks and killings of journalists in order to prevent it and to bring those responsible to justice (Lithuania);

138.80 Allow journalists, human rights defenders among all others to exercise the right to freedom of expression (Maldives);

138.81 Continue measures to combat terrorism, including the financing of terrorism (Sri Lanka);

138.82 Deploy possible additional efforts to prevent cases of torture and ill-treatments and to prosecute perpetrators (Italy);

138.83 Consider a possibility of improving the penitentiary system as well as implement, in the national legislation, provisions of the Convention against Torture and other cruel, inhuman or degrading treatment and punishment (Russian Federation);

138.84 Continue advancing in the fight against torture and ill-treatment in the administration of justice, of the security forces of the State and in the penitentiary centres (Spain);

138.85 Further strengthen the Legal Aid Department of the Ministry of Justice and establish relevant mechanisms for coordination of its activities with other entities working in the area of providing legal assistance (Uzbekistan);

138.86 Ensure that access to education is not hampered by differences, particular gender, and take necessary measures to guarantee security of female students and staff members (Mexico);

- 138.87 Continue to enact measures to ensure girl's right to education, namely the reinforcement of security, hiring of more female teachers and improvement of schooling facilities (Portugal);
- 138.88 Continue to take all possible measures to improve access to quality education without gender discrimination (Switzerland);
- 138.89 Continue strengthening national democratic institutions (Nepal);
- 138.90 Pay particular attention to the human rights related issues, particularly by encouraging effective participation of women in political life (Morocco);
- 138.91 Seek international cooperation in order to improve its electoral system, prior to the presidential and provincial elections due in 2014, and the election due in 2015 (Brazil);
- 138.92 Take necessary measures to increase the percentage of women in decision making positions (Ethiopia);
- 138.93 Ensure the inclusion of provisions relating to equality between men and women in the Constitution and the legislative system, and continue to pursue the implementation of effective measures to combat gender inequality (Chile);
- 138.94 Advance in the application of legislative measures aiming at the prohibition of discrimination in education, in particular in the rural areas, with a view to promote gender equality (Chile);
- 138.95 Strengthen efforts on the fight of discrimination against women and girls, particularly regarding access to education, health, justice and participation (Ecuador);
- 138.96 Improve national legislation to ensure equality between men and women based on the non-discrimination principle (Russian Federation);
- 138.97 In the light of the current reform of the Criminal Code and the Code on Criminal Proceedings, do not include any discriminatory provisions against women (Spain);
- 138.98 Ensure that women and women's rights advocates participate in every stage of negotiations concerning a political settlement to the conflict and that the rights of women and girls are respected in any eventual settlement (Canada);
- 138.99 Guarantee women's representation in all decision-making levels in line with the United Nations Security Council Resolution 1325 and related resolutions as well as on the Convention of the Elimination of all forms of Discrimination against Women (Finland);
- 138.100 Establish comprehensive legislation to help law enforcement officials identify cases of early and forced marriages and organize awareness raising campaigns in that regard (Croatia);
- 138.101 Continue its efforts to eliminate violence against women in line with the relevant recommendations of the Committee on the Elimination of Discrimination against Women (Latvia);
- 138.102 Take all possible measures to ensure the protection of and respect for the rights of women and children at legal and practical level (Switzerland);

- 138.103 Take measures to ensure that many individuals who are guilty of violence are effectively convicted and to put an end to the impunity from which they benefit too often (Belgium);
- 138.104 Investigate all allegations of mistreatment or abuse of detainees by the National Directorate of Security, the Afghan National Police and the Afghan Local Police and ensure that those who commit such acts are held accountable (Canada);
- 138.105 Thoroughly investigate allegations of human rights violations by members of the Afghan National Security Forces, and hold perpetrators accountable (United States of America);
- 138.106 Continue efforts aimed at putting an end to impunity, and guarantee an effective and impartial application of the legislation and court rulings, through the formal judicial system (Argentina);
- 138.107 Continue adopting measures aiming at the protection of children and youth, in particular on their right to education (Cuba);
- 138.108 Continue efforts in child rights' protection and improving children's conditions, especially in the education and healthcare fields (Qatar);
- 138.109 Continue efforts in adopting required measures to ensure child care, including disabled children, and ensure their rights in education and health (Yemen);
- 138.110 Enact measures to create safe school environments for girls and promote the right to education for girls on an equal basis with boys (Croatia);
- 138.111 Take effective measures to combat child labor and sexual exploitation of children as well as forced marriages (Germany);
- 138.112 Step-up efforts in the protection of the rights of children, including continuing its measures in combating violence against children (Malaysia);
- 138.113 Pay attention to the provision of security and protection of schools, teachers from all attacks (Kyrgyzstan);
- 138.114 Continue and strengthen its efforts to combat the illegal use of children in armed conflict (Sri Lanka);
- 138.115 Take measures to put an end to any recruitment or use of children in armed forces and groups within the police forces (France);
- 138.116 End all recruitment and use of children by military groups (Montenegro);
- 138.117 Provide demobilized children with assistance and penalize those persons responsible for military recruitment of children (Poland);
- 138.118 Continue using its sovereign right to the apply death penalty as a tool of criminal justice in accordance with proper safeguards specified under International Human Rights Law (Egypt);
- 138.119 Allow the Afghanistan Independent Human Rights Commission to safely operate and carry out its mandate in an independent and effective manner (United States of America);

- 138.120 Substantially increase its allocation of funds to the Afghanistan Independent Human Rights Commission in order to ensure its long term sustainability (Denmark);
- 138.121 Adequately resource the Afghanistan Independent Human Rights Commission and design the Commissioners' nomination process in a way to ensure the A status of the Commission under the Paris Principles. (Germany);
- 138.122 Ensure the independence of the Human Rights Commission, including through providing regular budgeting for the Commission, and proceed to the immediate appointment of its members (Greece);
- 138.123 Accelerate the appointment of the members of the Afghan Independent Human Rights Commission (Iraq);
- 138.124 Enable and support the Afghan Independent Human Rights Commission to continue its work as an effective and independent institution, including a transparent selection process of Commissioners, and by adequately funding the Commission on a permanent basis (Netherlands);
- 138.125 Further support the work of the Afghanistan Independent Human Rights Commission by employing a transparent and participatory selection process for the Commission's members (New Zealand);
- 138.126 Increase and regularize the core funding of the Afghanistan Independent Human Rights Commission (New Zealand);
- 138.127 Introduce transparent procedures in appointing members of the Afghanistan Independent Human Rights Commission and provide sufficient financial assistance to it (Republic of Korea);
- 138.128 Commit to actions that strengthen the capacity of the Afghan Independent Human Rights Commission (AIHRC) including providing adequate funding and reviewing the Law on the Structure, Duties and Mandate of the AIHRC to ensure its alignment with Paris Principles (Australia);
- 138.129 Further strengthen and with all the appropriate means (financial and institutional) the national organizations for defence of human rights so that they can pursue and achieve their objectives (Comoros);
- 138.130 That a framework policy to protect child rights according to international standards is adopted and a national campaign to promote awareness of child rights is undertaken (Greece);
- 138.131 Intensify its efforts to ensure full and effective implementation of the Law on Elimination of Violence against Women and implement UN Security Council Resolutions on Women, Peace and Security (Lithuania);
- 138.132 Set up measures to facilitate and accelerate the implementation of the law on the elimination of violence against women (Belgium);
- 138.133 Establish a strategy to implement the Law on the Elimination of Violence against Women by the creation of permanent and efficient mechanisms in order to report, investigate and publicize cases of gender violence (Brazil);
- 138.134 Take steps to fully implement the Elimination of Violence against Women law, including by providing training and capacity building to law enforcement officials; implementing standard, country-wide procedures to

record and track complaints of violence against women; and ensuring that all allegations of violence against women are thoroughly investigated and referred to the appropriate authorities under Afghan law (Canada);

138.135 Ensure the full implementation of the Elimination of Violence against Women law and hold accountable police and prosecution supervisors who are not ensuring the enforcement of the law (Croatia);

138.136 Take measurable steps to fully implement the Elimination of Violence Against Women law, and investigate thoroughly all suspected cases of gender based violence and violence against defenders of women's rights and bring those responsible to justice (United States of America);

138.137 Take steps to ensure the prompt enforcement of the National Action Plan for Women of Afghanistan, the Elimination of Violence Against Women Law and its international CEDAW obligations and reject any further attempts to water down the intentions of those measures (Denmark);

138.138 Take all necessary measures for effective application of the 2009 law on the elimination of violence against women (France)

138.139 Ensure the full application of the Elimination of Violence against Women Law (Finland);

138.140 Ensure early presentation of the report on the implementation of the Law for the Elimination of Violence against Women, effective and nation-wide implementation of that Law and comprehensive collection of data, monitoring and evaluation to further identify weaknesses in implementation, and to ensure continuing conformity of the law for the Elimination of Violence against Women ~~and with~~ CEDAW (Germany);

138.141 Reinforce the implementation of the Law on the Elimination of Violence against Women (Iceland);

138.142 Put in place within six months a concrete plan, covering the next two-year period, to improve implementation of the 2009 Law on the Elimination of Violence Against Women, including the measures recommended to Afghanistan by the Committee on the Elimination Against Women in July 2013(Ireland);

138.143 Take further steps to ensure full implementation of the Elimination of Violence against Women law also taking into account the respect for the provisions contained into international treaties that Afghanistan has signed (Italy);

138.144 Continue measures in eliminating discrimination against women through the implementation of its Law on the Elimination of Violence against Women (Malaysia);

138.145 Strengthen legislature and enforcement of law to end violence against women and promotion and protection of human rights of women and girls (Maldives);

138.146 Ensure effective enforcement of the Law on Violence against Women (New Zealand);

138.147 Adopt measures in order to strengthen the knowledge of the EVAW-law within the police and the judiciary to guarantee effective implementation of the law (Norway);

- 138.148 **Step up efforts to effectively implement the Elimination of Violence against Women law and the programs outlined in the National Action Plan for Afghan Women (Philippines);**
- 138.149 **Implement fully the Law on the Elimination of Violence against Women and refrain from approving any new legislation which may compromise the implementation of the Convention on the Elimination of all Forms of Discrimination against Women, to which Afghanistan is party (Portugal);**
- 138.150 **Take action to fully implement and enforce the 2009 Elimination of Violence against Women Law (Australia);**
- 138.151 **Take further steps on effectively implementing the Law on Elimination of Violence against Women (Turkey);**
- 138.152 **Reinforce efforts to implement the Law on the Elimination of Violence against Women in order to support the establishment of specialized police and prosecutions units; to track the number of cases brought under the Law; and to investigate provinces or districts with low numbers of prosecutions (Sweden);**
- 138.153 **Take additional steps to ensure women's full participation in public life as well as in the peace and reconciliation process and ensure that the Law on the Elimination of Violence against Women is implemented and that all acts of violence against women are thoroughly investigated and those responsible are brought to justice (Austria);**
- 138.154 **Ensure closer monitoring of the implementation of the National Action Plan for Women by developing the monitoring and evaluation capacity of the Ministry of Women's Affairs and other national entities (Italy);**
- 138.155 **Effectively implement the legislation aimed at ensuring the realization of the rights of women and children, especially the legislation on combating domestic violence (Romania);**
- 138.156 **Finalize and implement a National Action Plan on Women, Peace and Security (Australia);**
- 138.157 **Adopt additional measures to ensure the effective application of the law to eliminate violence against women and to ensure the protection of women's rights (Chile);**
- 138.158 **Continue with actions aimed at eliminating all forms of violence against women and girls (Ecuador);**
- 138.159 **Increase continued efforts to eliminate violence against women and children in the country (Iran (Islamic Republic of));**
- 138.160 **Take effective measures to prevent child and forced marriages (Poland);**
- 138.161 **Put forward its utmost efforts to abolish practices such as honor killing, early forced marriage and domestic violence both at the legal and policy levels (Republic of Korea);**
- 138.162 **Address more effectively cases of gender-based violence including by their proper and effective investigations and adequate prosecution of perpetrators (Slovakia);**

138.163 Strengthen efforts in eliminating discrimination and violence against women, also by raising the awareness of the **general public** and training officials in judiciary and law enforcement at all levels that will include human rights of women (Slovenia);

138.164 Increase all kinds of measures to effectively combat impunity regarding acts of violence against women, as well as to prevent, investigate, prosecute and sanction the acts of violence perpetrated against women by State agents and other persons (Uruguay);

138.165 Complete the exercises in strengthening national legal and administrative frameworks in order for them to be in line with human rights principles by fully implementing those frameworks, in particular the 2009 law on the Elimination of Violence against Women and the inclusion of restorative justice principles in the 2004 Juvenile Code (Indonesia );

138.166 Review its national legislation in order to ensure its full alignment with obligations under the Rome Statute, in particular by incorporating provisions enabling cooperation with the Court (Latvia);

138.167 Accelerate the process of aligning its national legislation with the provisions of the Rome Statute (Tunisia);

138.168 Fully align the national legislation with all obligations under the Rome Statute of the ICC (Austria);

138.169 Take immediate measures in order to comply fully with the OP-CRC-AC and implement the Action Plan to end the recruitment and use of children, signed with the UN in 2011 (Lithuania);

138.170 Cultivate and develop at local as well as national level culture of human rights through appropriate programmes increasingly adapted to the cultural context in the framework of formal and non-formal education (Comoros);

138.171 Develop and strengthen international human rights standards among Afghan citizens (Kuwait);

138.172 Strengthen coordination between national and international institutions working in the area of human rights with a view to effectively conduct and launch human rights trainings provided to the government agencies' staff (Saudi Arabia);

138.173 Put priority attention to issues regarding education and training in the human rights area for the officials of the law enforcement bodies, judiciary and of investigative bodies (Tajikistan);

138.174 Develop an academic curriculum on the basis of human rights standards, values and international conventions (Turkmenistan);

138.175 Further provide training to security and law enforcement organs on the protection and promotion of human rights (Ethiopia);

138.176 Step up its national capacity building programs for law enforcement officials, including through international cooperation (Egypt);

138.177 Continue efforts in human rights awareness raising, especially within the law enforcement sector (Qatar);

138.178 Ensure gender equity in higher education institutions of the country by increasing the number of female students (Bhutan);

139. The following recommendations will be examined by Afghanistan which will provide responses in due time, but no later than the 26<sup>th</sup> session of the Human Rights Council in June 2014:

139.1. Consider ratifying the International Convention of the Rights of Migrant Workers (Egypt);

139.2 Ratify the optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime and; the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution of the South Asian Association for Regional Cooperation (SAARC) (Spain);

139.3 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, Optional Protocol to the Convention against Torture, and Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Tunisia);

139.4 Uphold efforts aimed at the practical implementation of its human rights commitments and accede to the optional protocols of the human rights conventions to which it is a party (Hungary);

139.5 Enhance cooperation with the Human Rights Council by issuing a standing invitation to special procedures and accepting all visits requested by mandate holders (Hungary);

139.6 Strengthen its cooperation with the special procedures of the Human Rights Council by responding positively to the pending visit requests and eventually consider extending a standing invitation to all the special procedures mandate holders (Latvia);

139.7 Respond positively to requests to visits made by the Special Rapporteur on violence against women it causes and consequences (Mexico);

139.8 Respond positively to requests to visits made by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (Mexico);

139.9 Expand cooperation with the special procedures, including with the Special Rapporteur on torture and other cruel, inhuman or degrading treatment and punishment, and Special Rapporteur on violence against women, its causes and consequences (Tajikistan);

139.10 Consider incorporating the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measure for Women Offenders, otherwise known as the “Bangkok Rules”, as a part of its programme to enhance the conditions of women detainees in prison (Thailand);

139.11 Adopt measures to combat cases of torture and ill-treatment in the detention centres (France);

139.12 Address shortcomings identified by international election monitors and ensure that the election and campaigning ahead of them, including the access of candidates to the media are transparent, free and fair (Czech Republic);

139.13 Repeal article 398 of the Afghan Penal Code with a view to ensuring full accountability for the perpetrators of so called honour killings (Poland);

- 139.14 **Repeal article 398 of the Penal Code which gives perpetrators of honour killings legal concessions (United Kingdom of Great Britain and Northern Ireland);**
- 139.15 **Amend the National Reconciliation, General Amnesty and National Stability Law to allow for prosecutions of certain crimes, such as genocide, war crimes and torture (Sweden);**
- 139.16 **Reinforce and consolidate recovery of the country and national reconciliation and remedy past human rights violations through the establishment of a transitional justice strategy (Morocco);**
- 139.17 **Decisively take issue with human rights violations and war crimes of the past decades with a view to bringing the perpetrators to justice (Germany);**
- 139.18 **Ensure a national mechanism for transitional justice and national reconciliation, starting with the immediate release of the conflict mapping report of the Human Rights Commission and ensure adequate security assistance for its staff (Netherlands);**
- 139.19 **Implement the objectives of its 2005 Action Plan on Peace, Justice and Reconciliation and the National Priority Programme no. 6 in relation to human rights, and prosecute persons who committed grave human rights violations or war crimes (Switzerland);**
- 139.20 **Adhere to the 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness (Uruguay);**
- 139.21 **Give the Afghanistan Independent Human Rights Commission the independence and legal authority to hold to account perpetrators of detainee mistreatment (United Kingdom of Great Britain and Northern Ireland);**
- 139.22 **Accede to and fully implement the Optional Protocol to the CEDAW, amend laws that discriminate against women, and facilitate a broad public discussion on women's rights and equality (Czech Republic);**
- 139.23 **Ratify the Agreement on Privileges and Immunities of the International Criminal Court and take all necessary measures for their implementation as well as the preservation of the integrity of the Rome Statute (France);**
- 139.24 **Ratify the Kampala Amendments to the Rome Statute and the Agreement on the Privileges and Immunities of the International Criminal Court (Estonia);**
- 139.25 **Accede to the Agreement on Privileges and Immunities of the International Criminal Court (Slovakia);**
- 139.26 **Sign and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (France);**
- 139.27 **Ratify the Optional Protocol of the Convention against Torture and to take policy measures to prevent torture and ill treatment (Estonia);**
- 139.28 **Ratify the Optional Protocol against Torture (OPCAT), and by virtue of the latter, establish a national preventive mechanism (Switzerland);**
- 139.29 **Accede to the Optional Protocol to the CAT and implement measures ensuring prompt and impartial investigation of ill treatment and torture of**

**detainees and strengthen the accountability mechanisms for police and armed forces (Czech Republic);**

**139.30 Ratify the optional protocols no. 1 and 2 to the ICCPR as well as the OP-CAT and make the necessary declarations under article 41 of ICCPR and articles 20, 21 and 22 of CAT (Austria);**

**139.31 Takes steps to ensure proper and widespread enforcement of article 29 of the Constitution and ratify the Optional Protocol to the Convention against Torture (Denmark);**

**139.32 Ratify the Optional Protocol to the Convention on the Rights of the Child regarding the involvement of children in the armed conflict (Algeria);**

**139.33 Ratify the Optional Protocol to the ICESCR and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);**

**139.34 Consider becoming a party to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Thailand);**

**140. The recommendations below did not enjoy the support of Afghanistan:**

**140.1 Re-establish the moratorium on the executions and beyond that, consider final abolition of the death penalty (France);**

**140.2 Consider adoption of a moratorium on executions with a view to abolishing the death penalty (Italy);**

**140.3 Establish an immediate official moratorium on the use of the death penalty with a view to abolishing it (Montenegro);**

**140.4 Establish a moratorium in the use of the death penalty as a preliminary step to its definitive abolition (Spain);**

**140.5 Establish a moratorium on executions with a view to removing the death penalty from its criminal statutes and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);**

**140.6 Reintroduce a moratorium on executions with a view to the abolition of capital punishment (Czech Republic);**

**140.7 Re-establish a moratorium to executions, with a view to the final abolition of the death penalty, and ratify the Second Optional Protocol to the ICCPR (Uruguay);**

**140.8 Consider a formal moratorium on executions to all persons condemned with the death penalty and examine the possibility of abolishing the death penalty (Argentina);**

**140.9 Reintroduce the moratorium on executions as a first step towards the abolition of the death penalty (Sweden);**

**140.10 Abolish the practice of prosecuting women for "moral crimes" (New Zealand);**

**140.11 Ensure non-discrimination on the basis of sexual orientation and gender identity and repeal the provisions of the penal code which criminalise sexual relation between consenting adults of the same sex (Norway);**

**140.12 Put an end to the practice of criminal prosecutions for moral crimes against women who have fled their home (France);**

141. **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.**

Annex

### **Composition of the delegation**

The delegation of delegation was headed by His Excellency Judge Mohammad Hashimzai, composed of:

- Mrs. Mojgan Mustafawi, Deputy Minister for Women Affairs;
  - Mr. Wasil Noor Mohmand, Deputy Minister Social Affairs, Martyrs and Disabled;
  - Dr. Najia Tareq, Deputy Minister Public Health;
  - Mr. Mohammad Osman Babori, Deputy Minister Higher Education;
  - Dr. Nanguyalai Tarzi, Ambassador & Permanent Representative of Afghanistan to the UN & other International Organisations in Geneva;
  - Mrs. Khujasta Fana Ibrahimkhel, Director of Human Rights & Women's International Affairs, Ministry of Foreign Affairs;
  - Mr. Atiqullah Murad, Second Secretary, Permanent Mission of Afghanistan;
  - Mr. Sher Alam Abasi, Desk Officer, Ministry of Foreign Affairs;
  - Mr Saedullah Reshteen, Desk Officer, Ministry of Foreign Affairs;
  - Mr. Mohamed Raha, Third Secretary, Permanent Mission of Afghanistan.
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