

ANNEX 1
UPR OF THE REPUBLIC OF FIJI – SECOND CYCLE
RECOMMENDATIONS BY THEMATIC AREAS

1. Acceptance of international norms

- 99.1. Consider expediting the ratifications of the core human rights treaties to which it is not yet a party, as recommended previously (Republic of Korea); **Source of position:** A/HRC/28/8 (99.)
- 99.2. Consider positively signing core human rights treaties to which it is not yet a party (United Republic of Tanzania); **Source of position:** A/HRC/28/8 (99.)
- 99.4. Ratify ICCPR (Montenegro); Ratify ICCPR (Uruguay); Ratify the International Covenant on Civil and Political Rights (Algeria); Accord priority to the ratification of ICCPR (India); Accelerate the ratification process of ICCPR (Switzerland); Take steps to ratify and implement ICCPR (Kenya); Ratify the core international human rights instruments such as ICCPR (Sierra Leone); Ratify ICCPR (Estonia); Consider becoming a party to ICCPR (New Zealand); Ratify, in particular, ICCPR (Italy); Move on speedily to the ratification and/or application of human rights instruments, particularly the International Covenant on Civil and Political Rights (Chile); Accede to the international treaties on human rights and ratify ICCPR (Portugal); **Source of position:** A/HRC/28/8 (99.)
- 99.7. Ratify ICESCR (Algeria); Accord priority to the ratification of ICESCR (India); Accelerate the ratification process of ICESCR (Switzerland); Take steps to ratify and implement ICESCR (Kenya); Ratify the core international human rights instruments such as ICESCR (Sierra Leone); Ratify, in particular, ICESCR (Italy); Accede to the international treaties on human rights and ratify ICESCR (Portugal); **Source of position:** A/HRC/28/8 (99.)
- 99.10. Consider ratifying the optional protocols to the Convention on the Rights of the Child, which, inter alia, guard against the involvement of children in armed conflict (OP-CRC-AC) and guard against the sale of children, child prostitution and child pornography (OP-CRC-SC), which Fiji signed in 2005 (Namibia); Accede to the international treaties on human rights and ratify OP-CRC-AC and OP-CRC-SC (Portugal); **Source of position:** A/HRC/28/8/Add.1 (99.)
- 99.11. Take the necessary steps to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana); **Source of position:** A/HRC/28/8 (99.)
- 99.12. Consider the issue of ratification of the Convention on the Rights of Persons with Disabilities (Russian Federation); Take steps to ratify and implement CRPD (Kenya); **Source of position:** A/HRC/28/8 (99.)
- 99.13. Ratify CRPD as soon as possible to ensure that there is equal treatment for persons with disabilities pursuant to the new Constitution, as recommended previously (Spain); **Source of position:** A/HRC/28/8 (99.)
- 99.14. Take further steps in view of the ratification of CRPD as soon as possible within a 10 years' timeframe (Vanuatu); **Source of position:** A/HRC/28/8 (99.)

- 99.15. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay); Ratify the core international human rights instruments such as ICPPED (Sierra Leone); Accede to the international treaties on human rights and ratify ICPPED (Portugal); **Source of position:** A/HRC/28/8 (99.)
- 99.16. Continue with the efforts aiming at the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance as well as the ratification of the main international human rights instruments to which Fiji is not yet a party to (Argentina); **Source of position:** A/HRC/28/8 (99.)
- 100.1. Move on speedily to the ratification and/or application of human rights instruments, particularly the Convention on the Elimination of All Forms of Discrimination against Women (Chile); **Source of position:** A/HRC/28/8 (100.)
- 101.2. Demonstrate its commitment toward protecting and promoting human rights and fundamental freedoms by acceding to, without delay, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Canada); **Source of position:** A/HRC/28/8/Add.1
- 101.13. Fully align its national legislation with the Rome Statute of the International Criminal Court and ratify the Agreement on Privileges and Immunities of the Court (Estonia); **Source of position:** A/HRC/28/8/Add.1
- 99.5. Accede to the Second Optional Protocol to ICCPR aiming at the abolition of the death penalty (Germany); **Source of position:** A/HRC/28/8/Add.1 (99.)
- 99.6. Ratify the Second Optional Protocol to ICCPR (Estonia); Accede to the international treaties on human rights and ratify the Second Optional Protocol to ICCPR (Portugal); **Source of position:** A/HRC/28/8/Add.1 (99.)
- 99.3. Consider the timely ratification of the major international human rights instruments, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (Japan); **Source of position:** A/HRC/28/8 (99.)
- 99.8. Ratify CAT (Algeria); Speed up the process of ratification of CAT as one of the important steps in its commitment to the observance of human rights (Indonesia); Accelerate the ratification process of CAT (Switzerland); Take steps to ratify and implement CAT (Kenya); Ratify the core international human rights instruments such as CAT (Sierra Leone); Consider becoming a party to CAT (New Zealand); Ratify, in particular, CAT (Italy); Move on speedily to the ratification and/or application of human rights instruments, particularly CAT (Chile); Accede to the international treaties on human rights and ratify CAT (Portugal); **Source of position:** A/HRC/28/8 (99.)
- 99.9. Take the necessary steps to ratify CAT (Ghana); **Source of position:** A/HRC/28/8/Add.1 (99.)

2. Cooperation with treaty bodies

- 99.29. Intensify the cooperation with the international human rights bodies, including through country visits and the provision of assistance to Fiji (Uruguay); **Source of position:** A/HRC/28/8 (99.)

3. Cooperation with special procedures

- 99.30. Examine issuing a standing invitation to special procedures (Japan); **Source of position:** A/HRC/28/8 (99.)
- 99.31. Prior to the next cycle of the UPR for Fiji, take further steps in the consideration of extending an invitation to special rapporteurs (Vanuatu); **Source of position:** A/HRC/28/8 (99.)
- 101.15. Extend a standing invitation to special procedures to allow them easy access in visiting Fiji and thus assist the authorities in pursuing progress (Belgium); **Source of position:** A/HRC/28/8/Add.1
- 101.17. Extend a standing invitation to the special procedures of the Human Rights Council and coordinate in the shortest possible terms the requested visits (Costa Rica); **Source of position:** A/HRC/28/8/Add.1
- 101.18. Issue standing invitations to all special procedures (Ghana); **Source of position:** A/HRC/28/8/Add.1
- 101.19. Extend a standing invitation to the special procedures of the Human Rights Council (Portugal); **Source of position:** A/HRC/28/8/Add.1
- 101.20. Respond to the numerous requests for visits issued by the special procedures and extend a standing invitation to the special procedures as soon as possible (Slovenia); **Source of position:** A/HRC/28/8/Add.1
- 101.21. Extend a standing invitation to all United Nations Human Rights Council special procedures and receive those that have requested to visit (Montenegro); **Source of position:** A/HRC/28/8/Add.1
- 101.22. Issue a standing invitation to all Human Rights Council thematic special procedures, and facilitate requested visits and respond promptly and substantially to the communications transmitted to Fiji by the special procedures mandate holders (Norway); **Source of position:** A/HRC/28/8/Add.1
- 101.23. Accept visits from and provide full cooperation to the special procedures of the Human Rights Council, in order for them to fulfil their mandates and pursuant to commitments of the Government (Uruguay); **Source of position:** A/HRC/28/8/Add.1

4. Cooperation with other international mechanisms and institutions

- 99.28. Continue the networking by the Fijian Judiciary and Fiji's Human Rights and Anti-Discrimination Commission with relevant international organizations to strengthen the protection and promotion of human rights in the country (Thailand); **Source of position:** A/HRC/28/8 (99.)

5. Inter-state cooperation & development assistance

- 99.26. Put in place technical assistance programmes in order to strengthen Fiji's national capacities in the area of human rights (Morocco); **Source of position:** A/HRC/28/8 (99.)
- 99.27. Continue to seek technical assistance from the international community in the implementation of the accepted recommendations in the first and second cycles of the UPR (Vanuatu); **Source of position:** A/HRC/28/8 (99.)

6. Constitutional & legislative framework

- 100.2. Transpose these international instruments, the International Covenant on Civil and Political Rights and its first Optional Protocol, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the Convention on the Elimination of All Forms of Discrimination against Women, into domestic law strengthening among others legislative protection from gender violence and all forms of discrimination, particularly against women, children and on the ground of sexual orientation (Chile); **Source of position:** A/HRC/28/8 (100.)
- 100.3. Ensure that articles on human rights in the new Constitution fully comply with international standards on promotion and protection of human rights (Uruguay); **Source of position:** A/HRC/28/8 (100.)
- 101.12. Establish, in consultation with civil society, a mechanism to develop and harmonize a legislative framework derived from the new Constitution and in accordance with international human rights standards (Mexico); **Source of position:** A/HRC/28/8/Add.1

7. Institutions & policies

- 99.17. Appoint a Chairperson to the Fiji Human Rights and Anti-Discrimination Commission (Australia); **Source of position:** A/HRC/28/8/Add.1 (99.)
- 99.18. Take steps to seek the Commission's reaccreditation under the Paris Principles (Australia); **Source of position:** A/HRC/28/8 (99.)
- 99.19. Take appropriate steps to ensure that the Human Rights and Anti-Discrimination Commission functions in compliance with the Paris Principles (India); **Source of position:** A/HRC/28/8 (99.)
- 99.20. Reinstate the full independence and functionality of the Human Rights Commission to bring it in line with the Paris Principles and in accordance with the recommendations it had already accepted at the last UPR review (Kenya); **Source of position:** A/HRC/28/8 (99.)
- 99.21. Bring the Human Rights and Anti-Discrimination Commission into line with the Paris Principles (Morocco); **Source of position:** A/HRC/28/8 (99.)
- 99.22. Provide adequate funding to the Human Rights and Anti-Discrimination Commission and take steps to ensure its conformity with the Paris Principles (Sierra Leone); **Source of position:** A/HRC/28/8 (99.)

- 99.23. Ensure adequate funding from the budget for the National Human Rights and Anti-Discrimination Commission (Russian Federation); **Source of position:** A/HRC/28/8 (99.)
- 99.24. Provide adequate funding and resources for the work of the Human Rights and Anti-Discrimination Commission (Slovenia); **Source of position:** A/HRC/28/8 (99.)
- 101.14. Consider ensuring that the issue of violence against women be considered by the Human Rights and Anti-Discrimination Commission as one of its priorities (Slovenia); **Source of position:** A/HRC/28/8/Add.1

8. Human rights education and training

- 99.57. Offer programmes for education and training in human rights for law enforcement officials, the army, the police and prison services in order to prevent human rights violations, especially torture and mistreatment (Costa Rica); **Source of position:** A/HRC/28/8 (99.)
- 99.58. Enhance its cooperation with United Nations human rights bodies and other regional/international partners, particularly in providing the police force with appropriate training in contemporary custodial and interrogation techniques in accordance with international human rights standards (Philippines); **Source of position:** A/HRC/28/8 (99.)

9. Context, statistics, budget, cooperation with civil society

- 99.25. Consider developing human rights indicators as suggested by OHCHR as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal); **Source of position:** A/HRC/28/8 (99.)

10. Non-discrimination

- 99.51. Take concrete measures to end discrimination and counter stigmatization of marginalized groups, including minorities and lesbian, gay, bisexual, transgender and intersex persons (Germany); **Source of position:** A/HRC/28/8 (99.)
- 99.50. Continue its efforts to eliminate discrimination on political, economic, social and ethnic grounds, in line with the Constitution, in order to achieve equality among all citizens (Lebanon); **Source of position:** A/HRC/28/8 (99.)

11. Racial discrimination

- 99.49. Continue to strengthen efforts to eliminate racial discrimination (Bangladesh); **Source of position:** A/HRC/28/8 (99.)

12. Death penalty

- 99.52. Abolish completely and definitively the death penalty for all crimes (France); **Source of position:** A/HRC/28/8 (99.)
- 99.53. Take the necessary measures to abolish the death penalty under its Military Law (Namibia); **Source of position:** A/HRC/28/8 (99.)

- 99.54. Eliminate definitively and without further delay capital punishment from the military code (Switzerland); **Source of position:** A/HRC/28/8 (99.)

13. Prohibition of torture and cruel, inhuman or degrading treatment

- 100.5. Repeal the right “to administer reasonable punishment” in the Juveniles Act 1974 and prohibit all corporal punishment of children, including in the home (Germany); **Source of position:** A/HRC/28/8 (100.)
- 99.55. Take measures to properly handle the case of alleged torture and ill-treatment in the military and police and to put a halt to discrimination and violence against women (Republic of Korea); **Source of position:** A/HRC/28/8 (99.)

14. Prohibition of slavery, trafficking

- 99.47. Take more vigorous public action against all forms of child trafficking for sexual exploitation, labour or other purposes (Lebanon); **Source of position:** A/HRC/28/8 (99.)
- 99.48. Strengthen and implement policy measures to eliminate child trafficking (Maldives); **Source of position:** A/HRC/28/8 (99.)

15. Freedom of opinion and expression

- 99.64. Step up its efforts to consolidate political, social, economic and cultural freedoms and freedom of the media (Lebanon); **Source of position:** A/HRC/28/8 (99.)
- 99.65. Protect and promote freedom of expression and media pluralism (France); **Source of position:** A/HRC/28/8 (99.)
- 99.66. Expedite the enactment of the Freedom of Information Bill (India); **Source of position:** A/HRC/28/8 (99.)
- 99.67. Take all necessary measures to guarantee that its citizens, particularly journalists, enjoy full freedom of opinion and expression (Brazil); **Source of position:** A/HRC/28/8 (99.)
- 99.68. Adopt effective measures to ensure freedom of expression and the protection of journalists, as well as of opposition and critics of the Government (Italy); **Source of position:** A/HRC/28/8 (99.)
- 100.11. Take steps to bring domestic law and practice into line with existing international human rights standards in relation to freedom of expression, including media freedom (Ireland); **Source of position:** A/HRC/28/8 (100.)
- 100.12. Harmonize the Media Decree with international standards and enact a law on freedom of information in conformity with international standards, as recommended by UNESCO (Mexico); **Source of position:** A/HRC/28/8 (100.)
- 100.10. Take the necessary measures to ensure freedom of expression and opinion, as well as freedom of association and assembly, in accordance with

international human rights standards (Portugal); **Source of position:** A/HRC/28/8 (100.)

16. Administration of justice & fair trial

- 100.8. Adopt actions aimed at protecting/safeguarding the independence of judges, including measures ensuring autonomy from the executive power with regard to appointment and security of tenure (Mexico); **Source of position:** A/HRC/28/8 (100.)
- 99.60. In cooperation with relevant international organizations, continue to enhance the rule of law to ensure a safe and stable living environment for the people (Singapore); **Source of position:** A/HRC/28/8 (99.)
- 99.59. Continue partnerships with Member States and United Nations bodies as it deems necessary in furthering its efforts to ensure the independence of the judiciary (Sri Lanka); **Source of position:** A/HRC/28/8 (99.)
- 100.7. Train its lawyers and judges on the interpretation of human rights in accordance with the principle of international human rights law (Ethiopia); **Source of position:** A/HRC/28/8 (100.)

17. Right to an effective remedy, impunity

- 100.6. Ensure all alleged cases of human rights violations by security forces are investigated urgently and transparently, with those held responsible brought to trial swiftly (United Kingdom of Great Britain and Northern Ireland); **Source of position:** A/HRC/28/8 (100.)
- 99.56. Continue to take steps to implement stronger accountability mechanisms and ensure the independence of investigations into allegations of human rights abuses when they occur (New Zealand); **Source of position:** A/HRC/28/8 (99.)

18. Right to participate in public affairs & right to vote

- 99.73. Ensure greater civic education on electoral and Constitutional rights to ensure that referendums are useful and effective (Swaziland); **Source of position:** A/HRC/28/8 (99.)
- 99.72. Ensure free, transparent and broad-ranging participation of civil society, minorities and ethnic communities in the national public debate (Chile); **Source of position:** A/HRC/28/8 (99.)
- 99.72. Ensure free, transparent and broad-ranging participation of civil society, minorities and ethnic communities in the national public debate (Chile); **Source of position:** A/HRC/28/8 (99.)

19. Right to an adequate standard of living – general

- 99.75. Intensify its efforts to fight against poverty, including through international cooperation and the implementation of lessons learned from successful experiences (Brazil); **Source of position:** A/HRC/28/8 (99.)
- 99.76. Continue to prioritize poverty elimination in its national development and enhance its people's well-being (China); **Source of position:** A/HRC/28/8 (99.)

- 99.77. Take further steps to implement the Strategic Development Plan (Kuwait); **Source of position:** A/HRC/28/8 (99.)

20. Human rights & drinking water and sanitation

- 99.78. Continue to strengthen the implementation of the rights to drinking water and sanitation for the whole population, especially for rural communities (Spain); **Source of position:** A/HRC/28/8 (99.)

21. Trade Union Rights

- 99.61. Ensure that national labour legislation respects international law in this field (Spain); **Source of position:** A/HRC/28/8 (99.)
- 99.62. Continue to take measures to ensure freedoms of expression and opinion especially of trade unions (Ghana); **Source of position:** A/HRC/28/8 (99.)
- 99.63. Ensure respect for freedoms of expression, assembly and association, including for the exercise of trade union rights (France); **Source of position:** A/HRC/28/8 (99.)
- 100.9. Take steps to bring labour laws and practices in line with its international obligations, including under relevant ILO Conventions (United States of America); **Source of position:** A/HRC/28/8 (100.)

22. Right to health

- 99.79. Further strengthen measures to ensure equal access to health services for all, while giving special attention to the needs of children, women and the elderly (Sri Lanka); **Source of position:** A/HRC/28/8 (99.)
- 99.80. Consider mainstreaming sexual and reproductive health education in schools and improving access to contraception for adults and young people (Slovenia); **Source of position:** A/HRC/28/8 (99.)

23. Right to education

- 99.81. Continue consolidating its successful educational programmes, which provide the whole population with free access to quality education for the purpose of developing an integrated education system based on the principles of accessibility and quality (Venezuela (Bolivarian Republic of)); **Source of position:** A/HRC/28/8 (99.)
- 99.82. Continue its efforts to provide free education for primary and secondary school students (Malaysia); **Source of position:** A/HRC/28/8 (99.)
- 99.83. Continue to improve its education system and ensure access to quality education for all (Singapore); **Source of position:** A/HRC/28/8 (99.)

24. Discrimination against women

- 99.37. Take concrete measures to eliminate gender stereotypes and discrimination against women (Bangladesh); **Source of position:** A/HRC/28/8 (99.)

- 99.32. Take further action to ensure the effective implementation and formulation of legislation that guarantees/ensures equality and protection of women (Argentina); **Source of position:** A/HRC/28/8 (99.)
- 99.33. Redouble its efforts in implementing such policy as the Fiji National Gender Policy through a set of clear and measurable strategies (Indonesia); **Source of position:** A/HRC/28/8 (99.)
- 99.36. Continue its efforts in promoting gender equality, including expanding the role of women in its national development by providing the necessary financial and human resources to strengthen the implementation of policies and programmes for the empowerment of women in social and public life (Malaysia); **Source of position:** A/HRC/28/8 (99.)
- 99.40. Promote actively women's participation in different sectors of the society, especially in public services (Thailand); **Source of position:** A/HRC/28/8 (99.)
- 99.39. Take further measures to ensure equality and non-discrimination of men and women in law and practice, including in access to land, employment and economic and political participation (Netherlands); **Source of position:** A/HRC/28/8 (99.)
- 99.38. Ensure equality and non-discrimination between men and women as regards access to land, employment, and economic and political participation (Ghana); **Source of position:** A/HRC/28/8 (99.)
- 99.34. Give effective implementation to the Fiji National Gender Policy and the Women's Plan of Action for 2010–2019, and renew efforts in fighting all cases of discrimination and violence against women (Italy); **Source of position:** A/HRC/28/8 (99.)
- 99.35. Build on the work of Fiji's Ministry of Women, Social Welfare and Poverty Alleviation to improve the protection of women and girls by effectively addressing gender-based violence, particularly intimate partner violence, and by advancing programmes to combat gender discrimination (United States of America); **Source of position:** A/HRC/28/8 (99.)

25. Gender-based violence

- 99.41. Work at reducing the high incidence of all forms of violence against women, prosecute perpetrators of such acts and criminalize all forms of violence against women (Ghana); **Source of position:** A/HRC/28/8 (99.)
- 99.42. Take decisive steps to end violence against women, for instance by sending a strong public message of zero tolerance and by working together with men and women to break the cycle of violence (Netherlands); **Source of position:** A/HRC/28/8 (99.)
- 99.43. Take the necessary measures to combat violence against women (Algeria); **Source of position:** A/HRC/28/8 (99.)

- 99.44. Take the necessary measures to ensure that the decree on domestic violence be effectively implemented and that the perpetrators of violence against women, including within the family, be duly prosecuted and punished (Belgium); **Source of position:** A/HRC/28/8 (99.)
- 99.45. Ensure the effective implementation of the law on domestic violence (Spain); **Source of position:** A/HRC/28/8 (99.)
- 99.46. Take effective measures to prevent violence against women and children (Japan); **Source of position:** A/HRC/28/8 (99.)
- 100.4. Pass legislation to criminalize violence against women (Sierra Leone); **Source of position:** A/HRC/28/8 (100.)

26. Persons with disabilities: definition, general principles

- 99.85. Continue promoting awareness and empowerment policies for persons with disabilities (Venezuela (Bolivarian Republic of)); **Source of position:** A/HRC/28/8 (99.)
- 99.86. Continue implementing the national policy for persons with disabilities which lays out the fundamental pillars of development to ensure that an integrative society can truly take root (Cuba). **Source of position:** A/HRC/28/8 (99.)

27. Persons with disabilities: accessibility, mobility

- 99.84. Adopt specific measures to combat discrimination against children with disabilities in accessing an inclusive education (Spain); **Source of position:** A/HRC/28/8 (99.)

28. Members of minorities

- 101.30. Strengthen existing mechanisms in the current social, political and economic structures of the Fijian society to safeguard the rights of ethnic minorities (Solomon Islands); **Source of position:** A/HRC/28/8/Add.1

29. Human rights defenders

- 99.69. Take all relevant steps to protect human rights defenders (New Zealand); **Source of position:** A/HRC/28/8 (99.)
- 99.70. Take further steps to ensure a safe and enabling environment for human rights defenders (Norway); **Source of position:** A/HRC/28/8 (99.)
- 99.71. Adopt concrete measures to guarantee that human rights defenders are able to realize their work with no obstacles and that their freedoms of expression, association and assembly are ensured, as recommended previously (Spain); **Source of position:** A/HRC/28/8 (99.)
- 101.40. Create and maintain a safe and enabling environment for civil society actors to freely associate, by amending relevant laws and ensuring they are not invoked to curtail the right to freedom of peaceful assembly (Ireland). **Source of position:** A/HRC/28/8/Add.1