

**UPR 17th Session
RECOMMENDATIONS RELATING TO
SEXUAL ORIENTATION & GENDER IDENTITY**

Summary

(Detailed excerpts from working group reports can be found from page 5)

Saudi Arabia

Recommendations: Withdraw reservations to CEDAW; implement CEDAW recommendations; criminalise femicide; take measures to eliminate discrimination against women; prohibit early and forced marriage; criminalise violence against women; abolish the system of guardianship; take measures to eliminate patriarchal and gender stereotypes.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Senegal

Recommendations: Take measures to address discrimination and prosecution based on sexual orientation and gender identity; repeal laws that might be used to criminalise consensual relations between adults of the same sex; start a national dialogue on the acceptance of homosexuality.

Status: Rejected.

China

Recommendations: Prohibit discrimination based on sexual orientation and gender identity; take measures to promote gender equality and eradicate stereotypes; protect the family as the fundamental and natural unity of society.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Nigeria

Recommendations: Undertake measures, including through human rights education and training, to modify traditional practices that hamper the full respect for the human rights of women.

Status: Accepted.

Recommendation: Continue awareness-raising campaigns to eradicate harmful traditional practices and introduce sex education in the school curricula

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Recommendations: Revise laws discriminating against LGBTI persons, including refraining from signing into law any new legislation criminalizing same sex relations; Establish policies and

procedures that protect the human rights and security for all Nigerians including LGBT persons, their families and associates; enact legislation to prevent violence against people based on sexual orientation; Release all persons imprisoned or detained on the grounds of their sexual orientation or gender identity.

Status: Rejected.

Mexico

Recommendations: Carry out follow-up mechanisms on UPR recommendations that enable to verify the implementation and impact of norms and measures adopted to promote equal rights and non-discrimination for all citizens, particularly vulnerable groups such as women, children, ethnic minorities and LGBT communities, among others; Preserve and protect the natural family institution and marriage as the conjugal union between a man and a woman based on their free consent; Intensify efforts to guarantee universal access to health services, information and education on health and sexual and reproductive rights, particularly for adolescents.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Mauritius

Recommendations: Repeal Section 250 of the Criminal Code which criminalises sexual conduct between consenting adults of the same sex.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Jordan

Recommendations: Strengthen legislation protecting women and girls from forced or underage marriage and strengthen its penal code regarding rape, in particular by removing article 308 and amending the Penal Code to remove the exemption of those accused of honour crimes from prosecution, and strengthen the enforcement of this legislation, particularly in refugee camps; Take further steps to address discrimination against women, with a particular focus on reducing violence against women; Increase efforts to promote awareness on social level through continuing campaigns that aim at combating all types of discrimination linked to negative cultural norms while protecting the cultural identity of the society; Strengthen measures to protect women who are victims of or are threatened with violence; Increase efforts to promote awareness on social level through continuing campaigns that aim at combating all types of discrimination linked to negative cultural norms while protecting the cultural identity of the society; Continue working to eradicate the practices that allow rapists to avoid prosecution if they marry their victims; Continue with the measures aimed at eradicating practices customs involving revenge practices and “honour” crimes.

Status: Accepted.

Recommendations: Consider the inclusion of “gender” among the criteria of discrimination; Remove extenuating circumstances for “honour” killings.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Malaysia

Recommendations: Take legislative and practical steps to guarantee that LGBTI persons can enjoy all human rights without discrimination; Introduce legislation that will decriminalize sexual relations between consenting adults of the same sex; respect the fundamental rights of LGBT persons; Enact legislation prohibiting violence based on sexual orientation.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Central African Republic

Recommendations: Strengthen the institutional and legal human rights framework, in order to ensure effective and impartial investigations into all reports of extrajudicial killings, enforced disappearances, torture, other ill-treatment and sexual violence against women and children and to bring those responsible to justice; Facilitate immediate access for victims of sexual violence to available services; Continue its efforts in fighting acts of sexual violence, including the establishment of mechanisms for the identification, reporting and monitoring of such cases; Develop and apply, as a matter of priority, strategies aimed at combatting sexual violence against women, and especially girls, and ensure that they are provided with support for physical and mental health; Establish training and awareness mechanisms to combat sexual violence against women and fight the culture of denial and stigma so the women may seek medical care and establish judicial complaints against perpetrators; Step-up efforts aimed at combating and eradicating FGM and other traditional harmful practices; Take additional steps to strengthen the sexual and reproductive health and rights of girls and women.

Status: Accepted.

Monaco

Recommendations: Establish a mechanism that monitors gender equality in employment, wage discrimination against women and discrimination on sexual orientation.

Status: Accepted.

Belize

Recommendations: Adjust immigration laws to international standards to which Belize is a party, to avoid discrimination against vulnerable groups in particular persons with cognitive disabilities and LGBT; Provide state authorities, including law enforcement and judicial officials, with human rights training for the protection of women and members of minority groups, such as lesbian, gay, bisexual, and transgender persons; Ensure the prohibition of discrimination on the grounds of sexual orientation and gender identity; Take all necessary measures to guarantee the human rights of LGBT individuals and that they do not face persecution of any kind; Review and adapt its Constitution and laws to ensure that discrimination on grounds of sexual orientation and gender identity is prohibited; Ensure its Criminal Code provisions do not criminalize individuals based on sexual orientation.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Chad

Recommendations: Intensify the implementation of its laws, policies and programmes aimed at combating violence against women; Develop new strategies to overcome the difficulties posed by traditional and customary practices which lie in the way of promoting human rights; Strengthen measures to combat more effectively all forms of discrimination and violence against women, taking into account that in this matter, customs and traditions are often the main obstacle to overcome, in order to achieve the objectives; Continue strengthening measures aimed at addressing impunity for sexual and gender-based violence; Ensure that women and girls who are victims of rape and other forms of violence benefit from the medical assistance and the psychological support that they need; Carry out awareness-raising campaigns on sexual and gender-based violence, as recommended by the UNHCR, and ensure that all the reported cases receive an adequate response; Take measures to prevent the criminal behaviour of its military and police units assigned in peacekeeping missions, responsible for acts of sexual violence, and enforce the respect for international and human rights law among its peacekeeping units.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Israel

Recommendations: Ensure the principles of equality and non-discrimination by including the principle in the Basic Law and legislation; Intensify its efforts to combat gender-based violence against women and girls, including from minority communities; Guarantee the Palestinian people access to all

basic services, especially drinking water; Immediately stop the blockade on the Gaza; Refrain from all settlement activities in occupied territories.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

Congo

Recommendations: Adopt legal measures to eliminate all forms of discrimination against women and girls, including legislation concerning the right of ownership, sharing and inheritance of land for women; Increase its efforts to ensure the full realisation of women's civil, political, economic, social and cultural rights by establishing national programmes to empower women's organisations and groups through the provision of technical and financial support and microcredit; Strengthen the implementation of measures and provisions to eradicate all forms of discrimination and sexual violence against women and girls, including the development of programs of dissemination, prevention and assistance; Step up its efforts to end discriminatory traditional practices by organising large-scale awareness-raising campaigns on women's rights, which target local and religious leaders as well as the population in general; Design and implement an action plan to address gender based violence including domestic violence and sexual harassment; Create a system, to include training for law enforcement, legal professionals and health care personnel, for providing legal and medical aid to survivors of gender based violence, including rape and sexual violence, domestic violence, and female genital mutilation; Improve the implementation of national legislation on sexual violence and ensure that perpetrators are brought to justice.

Status: Accepted.

Recommendations: Guarantee equal rights for all citizens, and fight against all forms of discrimination based on sexual orientation or gender identity; Increase rate of women participation in decision-making in the legislative organ to 25%.

Status: Rejected.

Malta

Recommendations: Continue taking measures to eradicate gender discrimination and to promote effective equality and the overcoming of traditional stereotypes, for instance through awareness raising campaigns or programs at the education field; Adopt further measures to combat all forms of discrimination, including discrimination based on sexual orientation and gender identity; Continue to strengthen its legislative and institutional frameworks to enhance the rights of LGBTI people; Take concrete steps in ensuring comprehensive sexuality education for children and young people; Provide, in accordance with its obligations under international human rights law instruments, effective protection for the family as the fundamental and natural unit of society.

Status: Pending to the 25th session of the Human Rights Council in March 2014.

SAUDI ARABIA

Date of review: Monday, 21 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

11. KSA reaffirmed that the Islamic Shari'a guarantees fair gender equality and the State's legislation does not differentiate between men and women. Article 8 of the Basic Law of Governance stipulates that governance in KSA is based on justice and equality in accordance with the Islamic Shari'a. Hence, women are full citizens in their own right and are endowed with independent financial and full legal capacity under which they enjoy freedom to dispose of their property and manage their affairs in a totally independent manner without seeking permission from anyone.

B. Interactive dialogue and responses by the State under review

43. Austria commended interreligious dialogue. It expressed concern over lack of due process, absence of a written criminal code, use of the death penalty, corporal punishment and discrimination against women.

47. Belgium expressed concern over several subjects, particularly the situation of women and human rights defenders.

54. Canada asked about progress on measures taken on: national ID for women, criminalization of and protection from domestic violence, the marriage age, access to health-care services and freedom of movement of women.

67. Denmark commended progress achieved in promoting women's rights. However, it noted with serious concern severe discrimination against women, including the system of guardianship and domestic violence.

72. Finland noted Saudi Arabia's efforts on women's rights. It welcomed new law on domestic abuse. It asked what further measures were being taken to advance the status and rights of women.

73. France welcomed Saudi Arabia's policy to modernize society and its progress on the role of women in society.

80. Ireland was concerned that Saudi Arabia had not enacted a law guaranteeing the right to form civil society organizations, that independent non-governmental organizations could not register and that male guardianship had not been abolished.

94. Mexico hoped that Saudi Arabia would accept visit requests from Special Rapporteurs. It noted the adoption of the law on domestic violence and hoped that efforts to promote women's equal participation be strengthened.

98. The Netherlands expressed concern regarding the continuing lack of many rights for women, despite the appointment of 30 women to the Consultative Council.

125. Poland noted the progress in various areas, including attempts to improve the situation of women. It was concerned about the practice of legal male guardianship over women and about sex segregation in the workplace.

II. Conclusions and/or recommendations

100. The following recommendations will be examined by Saudi Arabia which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014:

- 137.24. Make further advances through withdrawing its reservations to CEDAW, CRC and CERD (Czech Republic);
- 137.25. Withdraw the reservations to CEDAW (France) / Withdraw the general reservations to CEDAW (Finland) (Spain)/ Lift the general reservation to CEDAW and amend national legislation accordingly (Austria);
- 137.26. Continue implementing the 2008 recommendations by the Committee on CEDAW on remaining issues (Finland);
- 137.33. Continue its efforts towards aligning its national legislation to international human rights law and, in this regard, lift the general reservation to CEDAW and reconsider policies which limit the rights of women to act as autonomous and equal members of the Saudi society (Brazil);
- 137.34. Criminalize femicide in accordance with international standards and comply in general CEDAW's General Recommendation N° 19 (Ecuador);
- 137.35. Abolish, modify or introduce legislation, measures and practices to ensure the effective elimination of all forms of legal discrimination against women and to allow for their full participation in society, including in decision making and political processes, on an equal basis with men (Canada);
- 137.36. Introduce and implement a law prohibiting all child, early and forced marriages, including the introduction of a legal minimum age of majority for marriage, and other measures to safeguard and enforce women's rights relating to marriage, choices and free and full consent (Canada);
- 137.56. Consider legislating special personal status law that would contribute to the strengthening of women's rights (Morocco);
- 137.57. Adopt legal measures to criminalize violence against women (Spain);
- 137.58. Continue work towards the improvement of women's rights. In particular, incorporate, in law the principle of equality between men and women and ban child marriage (Sierra Leone);
- 137.59. Further consider incorporating, in relevant laws, the principles of equality between women and men and where such principle exists, to campaign for greater understanding and awareness among the general public and officials for the effective implementation of such laws (Thailand);
- 137.69. Continue taking measures and setting awareness programs aimed at enhancing women's rights in different spheres including programmes that aim at clearing the misconception between Islamic Sharia and negative cultural norms (Egypt);
- 137.71. Ensure the victims of domestic abuse immediate access to mechanisms of protection and redress, inter alia, by providing the victims with shelters, by ensuring investigation of abuses, and by training law enforcement officials (Finland);
- 137.72. Further promote equal treatment between women and men by increasing national awareness campaigns on gender equality, especially on women's rights (Cambodia);
- 137.93. Put an end to all forms of discrimination against women, both in law and in practice (Belgium);

- 137.94. Continue to provide more concern on discrimination against gender, and also continue its efforts in combating discrimination against women (South Sudan);
- 137.95. Protect human rights of all individuals without any discrimination based on gender, origin, religion or customs (France);
- 137.96. Give full legal identity to all women residing in the Kingdom (Norway);
- 137.97. Continue its efforts with a view to ensuring equality of all before the law and to guaranteeing equal citizenship rights to women and men (Togo);
- 137.98. Launch additional awareness programs that aim at enhancing the degree of awareness of women's rights and address the misconception between the Sharia law and negative cultural patterns (Oman);
- 137.99. Take further measures to protect and promote women's rights, particularly in the fields of female employment, education, health and legal capacity (Turkmenistan);
- 137.100. Continue the measures aimed at achieving the elimination of existing patriarchal and gender stereotypes, with respect to the roles and responsibilities of men and women in the family and society (Argentina);
- 137.101. Take urgent steps to abolish the system of guardianship (Denmark);
- 137.102. Continue to make efforts to abolish the practice of male guardianship over women (Republic of Korea);
- 137.103. Dismantle the system of male guardianship and allow women to freely travel, work, study, marry, and access healthcare and other public services (Australia);
- 137.104. Continue the progress underway and introduce further steps to achieve gender equality, in particular the abolishment of the system of male guardianship (New Zealand);
- 137.105. Put an end, by royal decree, to the system of guardianship of adult women (Switzerland);
- 137.106. Take steps to remove the guardianship system, when it results in a limitation of the full exercise and enjoyment of the rights and freedom of women (Costa Rica);
- 137.107. Proceed with the promulgation of the necessary laws in order to abolish the male guardianship system while, in parallel, the stereotypes affecting women's enjoyment of their rights, including their personal status law, should be remedied (Greece);
- 137.108. Repeal the legal guardianship system for adult women (Italy);
- 137.109. As a step to advance the situation of women, abolish the principle of guardianship over women (Sweden);
- 137.110. Take measures to end the practice of guardianship and abolish existing legal provisions that require a guardian's authorization (Senegal);
- 137.111. Intensify efforts to put an end to the male guardianship system over women, modify negative stereotypes and cultural practices that discriminate against women and carry out the necessary legislative changes, including to make it possible for women to drive vehicles (Uruguay);

137.112. Allow women to participate fully and equally in society by abolishing the guardianship system, appointing more women to positions of authority, and increasing freedom of movement (United Kingdom of Great Britain and Northern Ireland);

137.113. Prohibit Government employees from requesting guardians' permission to allow women to conduct official business, particularly in situations such as filing complaints for domestic violence (Ireland);

137.136. Take further measures to fully and effectively implement the law that detail enforcement and redress mechanisms for women and children facing domestic violence (Lithuania);

137.137. Enforce legislation that criminalizes all forms of violence against women, including the Protection from Harm Act, and establish a system of regular data collection on such crimes (Republic of Moldova);

137.139. Redouble its efforts to tackle the practice of forced and early marriage (Italy);

137.163. Grant equal citizenship rights to women and men (France).

SENEGAL

Date of review: Monday, 21 October 2013

Interactive dialogue and responses by the State under review

20. The United Kingdom of Great Britain and Northern Ireland commended the establishment of the Extraordinary African Chambers and encouraged accelerated implementation of the Social Policy Orientation Act. It expressed deep concern about child trafficking, exploitation, abuse and health. It requested information on decriminalizing homosexuality. It made recommendations.

31. Austria raised concerns about street children, the poor implementation of legislation in that area and the criminalization of same-sex sexual acts. It highlighted the need to improve detention conditions. It made recommendations.

37. Brazil noted measures to combat HIV/AIDS and violence against women. It expressed concern regarding human rights defenders and journalists, who had been victims of attacks and detentions. Criminalization of homosexuality led to discrimination. Brazil made recommendations.

60. La délégation a expliqué qu'il n'y a pas au Sénégal d'incrimination de l'homosexualité en tant que telle et que l'article 319 du Code Pénal se réfère à des actes contre nature. Le fait d'être homosexuel n'est pas un délit au Sénégal et aucune poursuite judiciaire n'est menée à l'encontre des personnes du seul fait de leur homosexualité.

66. Greece noted continued restrictions in freedom of expression and was concerned about the situation involving children's rights. It also noted that Senegal continued to discriminate against sexual orientation. It made recommendations.

70. Ireland welcomed Senegal's efforts to bring Mr Hissène Habré to justice and urged it to ensure his fair and expeditious trial. It was concerned by shortcomings in the treatment of LGBT persons and by reports of torture referenced by the CAT. It made recommendations.

84. The Netherlands congratulated Senegal on its efforts to reduce FGM, but noted that abuse against women and girls often remained unpunished. It noted programmes implemented to raise HIV awareness and to combat AIDS, but underlined that criminalisation of homosexuality makes LGBT's reluctant to participate in these programmes. It made recommendations.

114. Switzerland commended Senegal on its commitment against impunity regarding the trial of Hissène Habré. Switzerland was concerned about discrimination against the LGBT community in Senegal but noted with satisfaction the abolition of the death penalty in its national legislation. Switzerland made recommendations.

II. Conclusions and/or recommendations

125. Senegal considers that the recommendations below cannot be accepted:

125.1 Amend national legislation that entails discriminatory practices, prosecution and punishment of persons for their sexual orientation or gender identity, and adopt measures to promote tolerance in the society through education and awareness campaigns (Uruguay);

125.2 Consider adopting all necessary measures to achieve the non-discrimination, protection and integration of the LGBT population (Argentina);

125.3 Enact laws criminalising acts of discrimination against minorities such as hate speech (Australia);

125.4 Effectively implement the principle of non-discrimination, including on grounds of sexual orientation (Austria);

125.5 Amend its Penal Code to decriminalise sexual relations between persons of the same sex (Belgium);

125.6 Take all the necessary measures to guarantee that LGBT individuals do not face persecution of any kind (Brazil);

125.7 Repeal all laws criminalizing sexual orientation and gender identity and take concrete measures for the protection of sexual minorities (Greece);

125.8 Promote respect for human rights of all discriminated groups on grounds of gender, sexual orientation, disability or ethnicity (Paraguay);

125.9 Ensure equal treatment and non-discrimination against lesbian, gay, bisexual and transgender persons, and other vulnerable groups (Thailand);

125.10 De-criminalize homosexuality, establish a de-facto moratorium on Article 319 of the Penal Code, and ensure that the Code is not used as basis for arbitrary arrests by the police (Germany);

125.11 Take steps to combat the persecution of persons on the basis of their sexual orientation or gender identity, in particular by removing Article 319.3 from the Penal Code so as to decriminalise consensual sexual conduct between persons of the same sex (Ireland);

125.12 Change Article 319 of the Penal Code and start a national dialogue on the acceptance of homosexuality (Netherlands);

125.13 Amend the Criminal Code to respect, protect and enforce the right to non-discrimination for all citizens regardless of their sexual orientation (Switzerland);

125.14 Decriminalize consensual sexual acts between adults of the same sex and criminalize violence committed against individuals based on their sexual orientation (Mexico).

CHINA

Date of review: Tuesday, 22 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

23. The Hong Kong SAR implemented Statutory Minimum Wage in 2011, and amended the Personal Data (Privacy) Ordinance in 2012. The methods of selecting the Chief Executive in 2017 and forming of the Legislative Council in 2016 should be strictly in accordance with the Basic Law and relevant interpretations and decisions of the Standing Committee of the National People's Congress. It will continue to enhance the protection of the rights of persons with disabilities, women and children, and provide support to individual groups such as people with ethnic minority background or different sexual orientation.

II. Conclusions and/or recommendations

176. The following recommendations will be examined by China which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014:

178.88. Establish anti-discrimination laws and regulations to ensure that lesbian, gay, bisexual and transgender persons enjoy equal treatment, including at schools and in the workplace (Ireland);

176.89. Include a prohibition of discrimination of any kind, including discrimination based on sexual orientation and gender identity, ethnicity, religion and infection with HIV, in labour and employment law in line with international standards (Netherlands);

176.90. Take further measures to promote gender equality and eradicate stereotypes regarding the roles and responsibilities of women in society (Republic of Moldova);

176.134. Maintain its effective protection for the family as the fundamental and natural unit of society (Egypt).

NIGERIA

Date of review: Tuesday, 22 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

16. The Delegation stated that the issue of sexual orientation did not enjoy consensus within the United Nations human rights system and all attempts to integrate sexual orientation into existing universally recognized human rights have so far failed. The overwhelming majority of Nigerians objected to same sex relationship based on their deep religious, cultural and moral orientations, against which no government could successfully legislate. There was no policy or practice of witch-hunting people based on their sexual orientation.

B. Interactive dialogue and responses by the State under review

69. The Delegation stated that Nigeria did not accept recommendations on same-sex marriage because it conflicted with national and cultural values. A poll conducted in 2011 reflected that 92 percent of the people were same-sex marriage.

113. Spain expressed concern about the Anti-Same-Sex Marriage Bill, and asks how Nigeria will guarantee such rights since they are recognized in the Constitution. It made recommendations.

126. The United States of America The United States of America condemned insurgent attacks and was concerned about reports of human rights violations by security forces. Nigeria's statement that LGBT persons were not visible in Nigeria was disappointing. It made recommendations.

II. Conclusions and/or recommendations

The recommendations formulated during the interactive dialogue and listed below have been examined by Nigeria.

134. The following recommendations enjoy the support of Nigeria:

134.45 Undertake measures, including through human rights education and training, to modify traditional practices that are in conflict with human rights standards which guarantee equality between men and women (Costa Rica);

134.46 Step up efforts aimed at eliminating harmful cultural practises, which hamper the full respect for the human rights of women (Paraguay);

134.47 The national report makes it clear that harmful traditional practices are deeply rooted in the culture of the Nigerian peoples; we therefore encourage the Nigerian government to intensify its efforts in the field of human rights education to eradicate this problem that only seems to weaken the development prospects in this country (DRC).

136. The following recommendations will be examined by Nigeria and to which responses will be provided in due time, but no later than the 25th session of the Human Rights Council in March 2014:

136.8 Continue awareness-raising campaigns to eradicate harmful traditional practices and introduce sex education in the school curricula (Slovakia).

138. The following recommendations did not enjoy the support of Nigeria:

138.1. Amend and review all legislation and policies, including the Same Sex Marriage Bill, with a view to de-criminalize LGBTI persons (Austria);

138.2 Revise laws discriminating against LGBTI persons, including refraining from signing into law any new legislation criminalizing LGBTIs (Czech Republic);

138.3 Establish policies and procedures that protect the human rights and security for all Nigerians including LGBT persons, their families and associates (United States of America);

138.4 Ensure the universality of human rights, safeguarding and protecting human rights of all Nigerians irrespective of gender, age, sexual orientation, gender identity or religious affiliation (Sweden);

138.5 Ensure that no legislation discriminates between men and women, and enact legislation to prevent violence against people based on sexual orientation (Canada);

138.6 Take steps to ensure that the human rights of all citizens are protected, regardless of their religion, sexual orientation or gender identity (Australia);

138.7 Consider the adoption of the necessary measures to eradicate discrimination on the grounds of sexual orientation (Argentina);

138.8 Release all persons imprisoned or detained on the grounds of their sexual orientation or gender identity (Austria);

138.9 Repeal all provisions that give rise to discrimination based on sexual orientation or gender identity (France);

138.10 Adopt measures to combat discrimination against persons on the grounds of their sexual orientation or gender identity, and decriminalise sexual acts between consenting adults of the same sex, in order to bring its legislation in line with the aforementioned covenant (Uruguay).

MEXICO

Date of review: Wednesday, 23 October 2013

II. Conclusions and/or recommendations

148. The recommendations formulated during the interactive dialogue/listed below will be examined by Mexico which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014:

148.39. Carry out follow-up mechanisms on UPR recommendations that enable to verify the implementation and impact of norms and measures adopted to promote equal rights and non-discrimination for all citizens, particularly vulnerable groups such as women, children, ethnic minorities and LGBT communities, among others (Colombia);

148.114. Preserve and protect the natural family institution and marriage as the conjugal union between a man and a woman based on their free consent (Holy See);

148.154. Intensify efforts to guarantee universal access to health services, information and education on health and sexual and reproductive rights, particularly for adolescents (Uruguay).

MAURITIUS

Date of review: Wednesday, 23 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

13. Mauritius then indicated that in 2012 the Equal Opportunities Act had been enacted to provide better protection against all forms of discrimination. This Act aims at eliminating direct or indirect discrimination on the basis of age, caste, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation.

28. As regards the decriminalization of sodomy, it was stated that further consultations were necessary on this issue. It was indicated, however, that the Government intends to amend the Criminal Code in order to provide, inter alia, for the offence of marital rape.

B. Interactive dialogue and responses by the State under review

101. Canada requested information on the status of plans to amend the Criminal Code to criminalize marital rape and decriminalize homosexuality, progress achieved, remaining steps and deadlines for completion. It welcomed the National Human Rights Action Plan and measures to promote human rights training and to facilitate access to information. It expressed concern about reports of sexual exploitation of children, and stressed the importance for the Government to intensify its commitment to programs that protect children from violence and sexual abuse. It made recommendations.

113. Ireland noted positive steps taken since the first review, including the restructuring of the National Human Rights Commission, the adoption of legislation transposing the Rome Statute, and the development of an action plan. It expressed concern about the criminalization of sexual conduct between consenting adults of the same sex. It commended the proposal for a media bill, yet underlined that no law currently enabled access to government information. It made recommendations.

121. On the issue of sexual orientation discrimination, and specifically of decriminalization of the offence of sodomy, Mauritius reported that the government had introduced the Sexual Offences Bill. However, Mauritius explained that following the dissolution of Parliament in 2010 consideration of the Bill was deferred. After consultations it was decided in 2013 that the Sexual Offences Bill should not be proceeded with as further consultations were needed on the matter, and that Government had decided to introduce a Criminal Code Amendment Bill to provide inter alia for marital rape.

II. Conclusions and/or recommendations

129. The following recommendations will be examined by Mauritius which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014:

129.31. Repeal the sections of its criminal code that criminalises consensual homosexual activity (Australia);

129.32. Remove from the Criminal Code the penalization of same-sex conduct between consenting adults (Canada);

129.33. Repeal Section 250 of the Criminal Code which criminalises sexual conduct between consenting adults of the same sex (Ireland).

JORDAN

Date of review: Thursday, 24 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

11. The delegation stated that in order to further strengthen the rights of women and their participation in public life and the promotion of equality and put an end to certain social practices, Jordan introduced amendments to several laws. Additional new laws have been enacted such as the Law on Protection from Domestic Violence Act, laws on the prohibition of trafficking in human beings while the Personal Status Law of 2010 enhanced the rights of women and children. The delegation emphasized that the Penal Code has been amended in order to put an end to practices that stand in the way of effective implementation of human rights, such as the so-called crimes of honour. To enhance the status of women and to ensure the elimination of all forms of violence, the legislative amendments increased sanctions for crimes of physical violence and such crimes as rape, indecent assault, abduction, and sexual harassment.

B. Interactive dialogue and responses by the State under review

28. Norway was concerned that, despite positive developments, women were still discriminated against within the legal system and violence against women remained widespread. Despite the accepted recommendations, Norway noted tight restrictions on freedom of expression which had intensified since the Arab Spring, as reflected in the amendments to the Press and Publication Law. It made recommendations.

40. Slovenia commended Jordan's positive changes, but was concerned that impunity towards domestic and gender-based violence remained a problem. It regretted that, despite its acceptance of a relevant recommendation, Jordan had not criminalized corporal punishment of children in the home and in alternative care. It made recommendations.

73. Brazil noted the withdrawal of reservations to the CEDAW and the approval of a bill on protection from domestic violence, but expressed deep concern about the practice of allowing perpetrators of rape to escape prosecution by marrying their victims and about "honour" crimes. It made recommendations.

104. Mexico welcomed constitutional amendments on human rights and noted that Jordan was hosting refugees in line with international law. It noted amendments to the Criminal Code, establishing more severe punishments for sexual violence crimes and eliminating the exoneration of the perpetrators of “honour” killings. It made recommendations.

110. Regarding impunity in cases of violence against women, the delegation stated that the laws and provisions of the penal code do not discriminate against women, on the contrary the sanctions are harder in some cases when the victim is a woman. The law on protection from domestic violence was adopted in order to ensure the full implementation of due process.

II. Conclusions and/or recommendations

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

118.9. Strengthen legislation protecting women and girls from forced or underage marriage and strengthen its penal code regarding rape, in particular by removing article 308 and amending the Penal Code to remove the exemption of those accused of honour crimes from prosecution, and strengthen the enforcement of this legislation, particularly in refugee camps (Canada);

118.31. Take further steps to address discrimination against women, with a particular focus on reducing violence against women (Australia);

118.35. Increase efforts to promote awareness on social level through continuing campaigns that aim at combating all types of discrimination linked to negative cultural norms while protecting the cultural identity of the society (Egypt);

118.43. Strengthen measures to protect women who are victims of or are threatened with violence (France);

118.44. Effectively implement the law on violence against women (Slovenia);

118.45. Reduce all forms of violence against women and children (Estonia);

118.46. Intensify efforts to boost the status of women and eliminate all forms of violence against them (Nigeria);

118.47. Provide training for law enforcement officials dealing with violence against women and ensure the effective protection of victims (Slovakia);

118.48. Continue working to eradicate the practices that allow rapists to avoid prosecution if they marry their victims (Guatemala);

118.51. Ensure proper and effective investigation of all crimes against women, including those with an “honour” element (Slovakia);

118.52. Better protect women against all forms of violence, including “honour” killings, as required under the Criminal Code, the Law on Protection of the Family and the Law of Civil Status (Belgium);

118.53. Continue with the measures aimed at eradicating practices customs involving revenge practices and “honour” crimes (Argentina);

118.55. Work towards the elimination of early, forced and child marriage, in particular taking steps to further limit the circumstances in which those under 18 years of age can marry (Sierra Leone).

119. The following recommendations will be examined by Jordan which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014:

119.3. Consider the inclusion of “gender” among the criteria of discrimination (Romania);

119.7. Remove extenuating circumstances for “honour” killings (France).

MALAYSIA

Date of review: Thursday, 24 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

9. The Government stated that matters involving LGBT and adherents of other schools of Islamic thought will be handled carefully and consistent with cultural traditions, religious doctrine, societal norms, and in accordance with national laws and regulations.

B. Interactive dialogue and responses by the State under review

49. Belgium was concerned by the ill-treatment of human rights defenders, including those defending LGBT rights, and by the death penalty.

114. Montenegro asked what plans were in place for Malaysia to become a party to core international human rights instruments and what measures had been adopted to prevent child, and early and forced marriages.

119. Netherlands noted that Malaysia was not a party to some key human rights treaties. It expressed concern about the practice of caning and the situation of LGBT persons.

II. Conclusions and/or recommendations

146. The following recommendations will be examined by Malaysia which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014.

146.98. Take legislative and practical steps to guarantee that LGBTI persons can enjoy all human rights without discrimination (Germany);

146.99. Introduce legislation that will decriminalize sexual relations between consenting adults of the same sex (Croatia);

146.100. Decriminalize homosexuality and respect the fundamental rights of LGBT persons (France);

146.101. Take the necessary measures to eradicate the discrimination based on sexual orientation (Argentina);

146.102. Delete those provisions that could favour discriminatory practices against persons based on their sexual orientation and gender identity (Chile);

146.103. Repeal sections of the Malaysian Penal Code that criminalize consensual same-sex conduct between adults (Netherlands);

146.104. Enact legislation prohibiting violence based on sexual orientation, and repeal laws that directly or indirectly criminalize consensual same-sex sexual activities (Canada);

146.150. Take steps to address increasing trends in early, forced and child marriage (Sierra Leone).

CENTRAL AFRICAN REPUBLIC

Date of review: Friday, 25 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

17. Concernant les femmes, la délégation a précisé que le gouvernement de la République Centrafricaine a engagé des processus de réformes juridiques pour la promotion et la protection des droits de la femme, notamment un projet de loi sur la parité, la révision du code de la famille pour tenir compte des standards internationaux et l'implication des femmes dans le processus de résolution des conflits conformément à la Résolution 1325. Elle a indiqué que sur le plan politique, les femmes sont encore faiblement représentées;

B. Interactive dialogue and responses by the State under review

30. Sweden was concerned by the pillage, rape, summary executions and other human rights violations and the near-total impunity for those acts, and the widespread practice of child marriages and FGM. It made recommendations.

50. Ireland commended the Central African Republic's dialogue with the HRC and highlighted the importance of combating impunity. Ireland urged it to respond to sexual and gender-based violence. It made recommendations.

52. Japan encouraged restoration of constitutional order, noting the worsening security and humanitarian situation. It hoped that impunity will be eradicated, arbitrary detention and torture prohibited. Sexual violence against women was of concern, and legislation against FGM should be enforced. It made recommendations.

61. The Netherlands remained concerned about human rights abuses, especially sexual violence against women and the lack of access to humanitarian assistance. It encouraged the restoration of peace, security, and the rule of law. It made recommendations.

64. The Republic of Korea acknowledged efforts to improve the human rights situation, particularly of vulnerable groups, despite challenges resulting from conflict. Sexual and gender-based violence was of concern. It made recommendations.

71. Slovakia encouraged Central African Republic to cooperate with the HRC Special Procedures, including the independent expert. It expressed concern over the enrolment of child soldiers and the continuous reports of sexual and gender-based violence. It asked what measures, in addition to amending the Criminal Code and Code of Criminal Procedures, were envisaged to address sexual violence. It made recommendations.

72. Slovenia expressed concern over the reports on the situation of children, who were recruitment and use of child soldiers, kidnapped, killed maimed and were victims of sexual violence. It also expressed concern over conflict-related sexual violence, as well sexual and gender based violence rooted in the customs of the population. It made recommendations.

[Response by the State under review]

103. En ce qui concerne les questions relatives à la violence contre les femmes, plusieurs initiatives ont été évoquées, notamment une campagne de prévention en cours de préparation par le Ministère des droits de l'homme et le Ministère des Affaires sociales et un travail initié avec le Ministère de la Justice en ce qui concerne des poursuites. Concernant la mise en œuvre de la Résolution 1325, plusieurs mesures ont été prises, notamment l'adoption en 2005 d'un document de politique nationale de promotion d'égalité et d'équité assortie d'un plan d'action, et l'adoption en 2006 de la loi portant sur la protection des femmes contre toute forme de violence. De plus, les femmes ont été impliquées

dans les processus de paix et ceci, depuis les accords de Libreville jusqu'à la mise en place du CNT de la transition.

II. Conclusions and/or recommendations

105. The recommendations listed below have been examined by the Central African Republic and enjoy the support of the country Central African Republic:

105.28. Strengthen the institutional and legal human rights framework, in order to ensure effective and impartial investigations into all reports of extrajudicial killings, enforced disappearances, torture, other ill-treatment and sexual violence against women and children and to bring those responsible to justice (Lithuania);

105.29. Take all measures to ensure protection of women and girls from violence and to end impunity of perpetrators of such crimes (Slovakia);

105.30. Enforce existing laws to bring to justice perpetrators of extensive extrajudicial killings, enforced disappearances, attacks on civilians (including children) and instances of sexual and gender-based violence (Sierra Leone);

105.34. Facilitate immediate access for victims of sexual violence to available services (Lithuania);

105.35. Continue its efforts in fighting acts of sexual violence, including the establishment of mechanisms for the identification, reporting and monitoring of such cases (Republic of Moldova);

105.36. Develop and apply, as a matter of priority, strategies aimed at combatting sexual violence against women, and especially girls, and ensure that they are provided with support for physical and mental health (Croatia);

105.37. Put in place special measures to monitor, identify, and report sexual and gender-based violence, with a view to its prevention and punishment, bearing in mind the need to exclude these crimes, where feasible, from amnesty processes. (Ireland);

105.38. Deploy further efforts to prevent and punish grave forms of violence against women, in particular when they result in widespread rape (Italy);

105.39. Take appropriate measures to put an end to violence against women (Rwanda);

105.40. Establish training and awareness mechanisms to combat sexual violence against women and fight the culture of denial and stigma so the women may seek medical care and establish judicial complaints against perpetrators (The Netherlands);

105.41. Step-up efforts aimed at combating and eradicating FGM and other traditional harmful practices (Slovakia);

105.42. Strengthen the legislation and effective measures in order to better protect vulnerable groups, in particular women and children, and eradicate the customary practices that are harmful to them (Viet Nam);

105.53. Fight against impunity and ensure that those responsible for the serious human rights violations and acts of violence perpetrated against the civilian population, including sexual violence against women and children, torture and summary executions, are brought to justice and held accountable (Portugal);

105.80. Take additional steps to strengthen the sexual and reproductive health and rights of girls and women (Sweden).

MONACO

Date of review: Monday, 28 October 2013

II. Conclusions and/or recommendations

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

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

BELIZE

Date of review: Monday, 28 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

45. The Constitution of Belize prohibited discrimination against all persons and affirmed that “all persons are equal before the law and are entitled without any discrimination to the equal protection of the law.” The Prime Minister had reiterated that Government would not “shirk its duty to ensure that all citizens, without exception, enjoy the full protection of the law.” Belize noted in this context, as well, an advance question regarding a section of the Criminal Code which criminalized sodomy. The section of the Criminal Code was sub judice.

B. Interactive dialogue and responses by the State under review

55. Ireland commended the progress made by Belize, particularly concerning women’s rights. Ireland was concerned by reports of violence against women and LGBT persons. It encouraged Belize to take measures preventing such violence and facilitating the reporting of allegations. It was concerned by Belize’s status as a country of departure, transit and arrival for trafficked persons but praised steps taken in the area. Ireland made recommendations.

61. The Netherlands commended Belize’s measures enhancing access to health care, the decrease in maternal and infant mortality and the increase in births attended by skilled personnel. It recalled two recommendations that Belize accepted in 2009, namely raising the minimum age for marriage from 16 to 18 and abolishing criminal sanctions for same-sex activity between consenting adults. It remained concerned by aspects of sexual and reproductive rights. It made recommendations.

64. Norway observed that Belize lacked any constitutional or statutory provision expressly prohibiting discrimination on grounds of sexual orientation and/or gender identity and that its Immigration Act included homosexuals in the list of prohibited persons for the purposes of immigration. Being opposed to the use of capital punishment under all circumstances and aiming for its universal abolition, it noted that Belize retained the death penalty. Norway made recommendations.

74. Spain congratulated Belize on making human rights a top priority. It welcomed the ratification of the CRPD and the development of integrated policy approaches to gender. It was concerned about discrimination on grounds of sexual orientation and hostility towards LGTB communities. It commended the Supreme Court of Justice’s 2010 judgement recognizing the land tenure rights of Mayan communities in the Toledo district. Spain made recommendations.

78. The United Kingdom of Great Britain and Northern Ireland supported Belize’s commitment to gender equality. It was disappointed that Belize had not supported a worldwide moratorium on

executions. Referring to equality in the enjoyment of human rights and inadmissibility of discrimination on the grounds of sexual orientation, it welcomed the recent comments of the Prime Minister recognizing the rights of all citizens without exception. It made recommendations.

79. The United States of America commended progress in addressing discrimination against women, particularly the approval of the revised National Gender Policy. It encouraged a reform of existing laws that might be used to discriminate against LGBT persons. It observed that, despite Belize's commitment to improving its technical and policy capacities during its first UPR, the second report indicated the same human rights training and institution-building needs. It made recommendations.

[Responses by the State under review]

95. Provisions for amendments to the Criminal Code that dealt with sexual offences were before the national assembly. The National Gender-Based Violence Action Plan and other issues in terms of strengthening the implementation framework for the Gender-Based Violence programme, the decent work agenda, etc. were all part and parcel of the Government commitment under the Revised Gender Policy. The cabinet approved it only this year. It was hoped that, by the first quarter next year, there would be a well consulted multi-disciplinary and multi-sectorial action plan to ensure the implementation of the Gender Policy.

96. The delegation stated that a part of what constituted a barrier to the development of this implementation plan was resistance from the churches, especially the evangelical churches. In certain sectors, they requested complete withdrawal of the policy because it spoke to respect for diversity, including the acknowledgement of sexual orientation as a type of diversity. It spoke to providing sexual and reproductive health services for vulnerable groups, including men who have sex with men and commercial sex workers. Because of these factors, the evangelical council and other churches had called for a complete removal of the policy. Nonetheless, the Prime Minister stated his commitment to the policy and opened the door for submissions of concerns by the council, but the action plans for various sectors were in place and Belize would continue the work in ensuring gender equity and equality and women's empowerment under the rubric of that policy.

II. Conclusions and/or recommendations

99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014.

99.9. Adjust immigration laws to international standards to which Belize is a party, to avoid discrimination against vulnerable groups in particular persons with cognitive disabilities and LGBT (Colombia);

99.18. Provide state authorities, including law enforcement and judicial officials, with human rights training for the protection of women and members of minority groups, such as lesbian, gay, bisexual, and transgender persons (United States of America);

99.29. Ensure the prohibition of discrimination on the grounds of sexual orientation and gender identity (Netherlands);

99.30. Take all necessary measures to guarantee the human rights of LGBT individuals and that they do not face persecution of any kind (Brazil);

99.31. Consider the possibility of adopting the necessary measures to eliminate all discriminatory treatment and criminalization based on sexual orientation (Argentina);

99.32. Review the Constitution and legislation, in order to explicitly prohibit discrimination on the basis of sexual orientation or gender identity (Uruguay);

99.33. Review and adapt its Constitution and laws to ensure that discrimination on grounds of sexual orientation and gender identity is prohibited (Germany);

- 99.34. Review its Constitution and legislation to ensure that discrimination on the basis of sexual orientation and gender identity is prohibited (Norway);
- 99.35. Ensure its Criminal Code provisions do not criminalize individuals based on sexual orientation (Canada);
- 99.36. Amend legislation in order to combat discrimination and hostility toward LGBT groups (Spain);
- 99.37. Repeal all provisions that may lead to discrimination on the grounds of sexual orientation or gender identity and respect fundamental freedoms of all the citizens (France);
- 99.38. Eliminate provisions that favour discriminatory practices against persons based on their sexual orientation and gender identity (Chile);
- 99.39. Take steps to remove domestic legislation that outlaws same sex activity between consenting adults, and develop policies to address discrimination against LGBT people (United Kingdom of Great Britain and Northern Ireland);
- 99.40. Reform existing laws that can be used to discriminate against lesbian, gay, bisexual, and transgender persons, including the provision of “unnatural crime” laws prohibiting “carnal intercourse against the order of nature” (United States of America).

CHAD

Date of review: Tuesday, 29 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

14. Sur la question des femmes, la délégation a noté que le gouvernement avait développé plusieurs actions pour renforcer la protection de leurs droits. Ainsi, une politique nationale du genre et une stratégie nationale de lutte contre les violences basées sur le genre ont été validées. La délégation a également souligné que le gouvernement avait prévu des sanctions à l'encontre des auteurs de violences contre les femmes dans les articles 325 et suivants du projet de Code pénal. De même, des sanctions à l'égard des auteurs de mutilations génitales féminines (MGF) ont été prévues dans ce projet. Il a cependant été précisé que les MGF ne concernaient, au Tchad, que quelques ethnies, mais c'est pour respecter ses engagements internationaux que le gouvernement a tenu à insérer la répression de ces actes dans sa législation nationale. La délégation a également mentionné plusieurs actions qui ont été engagées en faveur des femmes, notamment une campagne nationale de lutte contre toutes les formes de violences faites aux femmes; la responsabilisation croissante des femmes dans les instances décisionnelles et la construction d'une maison de la femme à N'Djamena pour renforcer les capacités des femmes dans la jouissance de leurs droits.

B. Interactive dialogue and responses by the State under review

29. The United States of America acknowledged security sector reforms, but was concerned about sexual violence against women and girls, lack of resources for policing in refugee hosting areas and on-going poor prison conditions and treatment of prisoners. It made recommendations.

56. Concernant les violences faites aux femmes, la délégation a relevé la création d'une coordination nationale de prévention et de protection par un arrêté pris en 2010. Ces violences sont aujourd'hui réprimées mais il faut également qu'un travail de sensibilisation sur le terrain se fasse, car réprimer sans former est inutile. Ainsi, le gouvernement a entrepris une campagne nationale de sensibilisation avec des documents tels que « Unis pour mettre fin aux violences faites à l'égard des femmes » et le « Code de conduite du bon soldat tchadien ».

57. Burundi welcomed achievements in health, especially involving women, children and HIV-AIDS sufferers. It noted measures to combat discrimination against women and gender-based violence, including female genital mutilations. Burundi made a recommendation.

58. Canada asked Chad to detail its measures to combat the recruitment and use of children by armed groups and to facilitate their reintegration. It was concerned about the impunity of perpetrators of violence against women. It recognized the importance of Chad's commitment to the MINUSMA. Canada made recommendations.

67. The Czech Republic welcomed Chad's signing of the OP-CAT. It was concerned about violence, corruption, prison overcrowding and conditions, the continuing harassment of human rights defenders and journalists and repression of the freedom of expression, the weak enforcement of the ban on FGM as well as sexual violence by peacekeeping forces. It made recommendations.

94. The Philippines called on the international community to continue assisting Chad in strengthening its human rights institutions. It welcomed ratification of the Convention against Transnational Organized Crimes, the Palermo Protocol and the OP-CRC-SC and OP-CRC-AC and the priority given to eradicating harmful traditional practices. It made recommendations.

105. La délégation a également souligné les problèmes de résistances coutumières et traditionnelles eu égard aux droits des femmes et des enfants. Si une législation dans ce domaine a été retardée, c'est parce qu'il convient de travailler sur les mentalités avant de promulguer des lois. Les mesures législatives doivent être la traduction d'une volonté populaire.

106. S'agissant des événements de février 2008, la délégation a noté que le problème était judiciaire et que les autorités tchadiennes avaient fourni les moyens pour que la justice puisse faire, en toute indépendance, des investigations. Des efforts ont également été entrepris pour indemniser les victimes de violence sexuelle.

II. Conclusions and/or recommendations

110. The following recommendations will be examined by Chad which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014:

110.57. Intensify the implementation of its laws, policies and programmes aimed at combating violence against women (Philippines);

110.61. Take measures to eliminate traditional practices that are in contradiction with human rights obligations (Costa Rica);

110.63. Continue strengthening measures aimed at addressing impunity for sexual and gender-based violence, including expediting the adoption of the national gender policy and the national strategy to combat gender-based violence (Botswana);

110.64. Develop new strategies to overcome the difficulties posed by traditional and customary practices which lie in the way of promoting human rights (Democratic Republic of the Congo);

110.90. Strengthen measures to combat more effectively all forms of discrimination and violence against women, taking into account that in this matter, customs and traditions are often the main obstacle to overcome, in order to achieve the objectives (Comoros);

110.101. Continue the eradication of the practice of female genital mutilation (FGM) and enforce the present legislation to combat rape and other forms of violence against women, including against female refugees and internally displaced persons (Netherlands);

- 110.102. Take steps to fully implement and enforce laws on violence against women and to ensure that victims are able to benefit from the existing legislative framework (South Africa);
- 110.103. Ensure that women and girls who are victims of rape and other forms of violence benefit from the medical assistance and the psychological support that they need (Togo);
- 110.104. Continue to increase its efforts to prevent violence against women and girls and conduct thorough, prompt investigations into all reports of such violence, and end impunity for these crimes (Australia);
- 110.105. Take appropriate measures to combat all forms of violence against women (Benin);
- 110.106. Adopt the Penal Code and apply its provisions relating to violence against women, including female genital mutilations and other sexual violence, early and enforced marriage (Cape Verde);
- 110.107. Ensure that women and girls in displaced persons camps and in the general population are truly protected against all forms of violence, including early or enforced marriage and ensure that the perpetrators of crimes against women are brought to justice (Canada);
- 110.108. Continue commitment against all forms of violence against women, particularly sexual violence, female genital mutilations and forced marriage (France);
- 110.109. Enforce proper amendments to the Criminal Code in order to put it into line with the provisions enshrined, inter alia, in the Constitution of Chad and to continue reinforcing the legal framework to protect women's rights, with the aim of effectively addressing any act of violence against women, including female genital mutilations and early and forced marriages, a practice which is sadly still too much widespread in the country (Italy);
- 110.110. Establish and strengthen mechanisms that provide support for victims of violence against women and girls, and ensure that they are effectively protected from all forms of violence (Maldives);
- 110.111. Ensure persecution of perpetrators of violence against women (Maldives);
- 110.112. Prioritize the implementation of the reproductive health law and provide for sanctions against the perpetrators of the crimes of female genital mutilation, early marriage and domestic and sexual violence, ensuring the investigation of the cases as well as the prosecution and punishment of the perpetrators (Uruguay);
- 110.113. Further continue in fighting harmful traditional practices (Ethiopia);
- 110.114. Effectively implement its Female Genital Mutilation ban while giving young girls proper information about this prohibition (Czech Republic);
- 110.115. Carry out awareness-raising campaigns on sexual and gender-based violence, as recommended by the UNHCR, and ensure that all the reported cases receive an adequate response (Slovenia);
- 110.116. Launch awareness raising campaigns to address harmful traditional practices that adversely affect the implementation of its human rights commitments (Sierra Leone);
- 110.117. Continue collaboration with its partners to reduce the prevalence of female genital mutilation (FGM) (South Sudan);

110.118. Take measures to prevent the criminal behaviour of its military and police units assigned in peacekeeping missions, responsible for acts of sexual violence, and enforce the respect for international and human rights law among its peacekeeping units (Czech Republic).

ISRAEL

Date of review: Tuesday, 29 October 2013

Interactive dialogue and responses by the State under review

29. On a point of clarification, the State of Palestine stated that Israel's report had no value since it failed to address at all human rights in the land of the State of Palestine which is under Israel's occupation. Turning to the review, it asked about the legal basis for the confiscation of the Identity Cards of Palestinians residing in Jerusalem and where Israel's border was located.

32. Portugal expressed concern over discrimination and inequality, inter alia the distinction between Jewish and Arab citizens, discrimination of women.

45. Switzerland referred to the situation of minorities, asylum seeking procedures, the settlements and the blockade affecting the civilian population in Gaza.

47. Thailand called on Israel inter alia to end the blockade of the Gaza Strip, lift restrictions on movements and ensure non-discriminatory treatment of Jewish and non-Jewish peoples.

50. Turkey considered that the improvement of the human rights record primarily required the ending of the occupation in the territories of the State of Palestine.

52. United Kingdom of Great Britain and Northern Ireland expressed concerns over Israeli practices in the OPT including the extensive use of administrative detention.

53. The United States of America commended Israel for its upholding of human rights.

59. Austria asked whether Israel's position has evolved on the issues of discrimination of Arab Israeli citizens and the protection of human rights defenders.

62. In response to an advance question by Norway, despite increasing challenges, and in line with its responsibility under international law, Israel took significant steps to promote the standards of living of Palestinians and cooperated with the Palestinian authority, which had the responsibility towards the vast majority of the Palestinian population. UNDP development index shows that the Palestinian Authority is above the regional average.

63. Israel was also working to improve the movement of people and goods in the West Bank. Today there are only a few checkpoints in place, which are normally open.

64. Responding to an advance question by Mexico and Slovenia, as enshrined in the declaration of independence and in many basic laws and court rulings, equality and non-discrimination was the cornerstone of Israel's democratic society.

78. Brazil acknowledged some important progress in realizing human rights but expressed concern about settler violence against Palestinian civilians.

80. Chile reiterated the need to put an end to acts of violence and economic deprivation affecting the Palestinian population. Chile called on Israel to end all expansion of settlements.

81. China called for the release all Palestinian prisoners and the improvement of their living conditions. It also hoped that Israel would lift the blockade on the Gaza strip as soon as possible.

82. Costa Rica noted the ratification of the CRPD. In relation to the Palestinians and the OPT it called on Israel to respect international humanitarian law.

87. Ecuador noted Israel's commitment to ensure gender equality. It believed Israel should make efforts to eliminate discrimination against the Palestinian population.

93. Greece expressed concern about settlement activities and commended progress in achieving equal treatment in relation to on sexual orientation or gender identity

96. Iceland urged the halting of all settlement activities and the withdrawal of settlers from the OPT. It encouraged the effective implementation of legislation and dialogue with the Palestinian Authorities on violence against women; and the withdrawal of reservation to CEDAW.

104. Japan expressed concern inter alia about violations of the rights of Palestinians to adequate housing. It requested the immediate stopping of the construction of settlements.

105. Jordan was alarmed that the right of self-determination of the Palestinian people was still being violated by Israel.

109. Malaysia considered that the situation in the OPT was worsening.

110. The Maldives was deeply concerned by Israeli practices in Palestine, the absence of commitment towards the UN bodies, and violations of international human rights and humanitarian law

125. Israel further noted that due to the volatile security situation, and in light of the obligations under international law, Israel had imposed a legal naval blockade to prevent weapons transfer to Hamas.

129. Through the land passages that were open, the policy of Israel was that all goods could enter the Gaza Strip freely, with the sole exception of those goods that could pose a security risk to Israel. Israel had also allowed entry into Israel's territory for humanitarian cases such as those needing urgent medical care and was very active in facilitating projects funded and implemented by the International Community.

II. Conclusions and/or recommendations

137. The recommendations formulated during the interactive dialogue/listed below will be examined by Israel which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014:

137.17 Revise fundamental and other relevant laws with a view to enshrining explicitly in those the principles of equality and non-discrimination (Tunisia);

137.18 Ensure the principles of equality and non-discrimination by including the principle in the Basic Law and legislation (Republic of Korea);

137.19 Consider including the provision on gender equality and non-discrimination in its Human Rights and Liberty Law (Thailand);

137.20 Abrogate all discriminatory laws against non-Jewish children (Tunisia);

137.43 Increase its efforts to implement the recommendations of the treaty bodies on equality and non-discrimination (Portugal);

137.56 Continue all efforts to eliminate discrimination based on sexual orientation and gender identity (Greece);

137.58 Increase efforts to ensure non-discrimination, particularly in the areas of access to justice, property rights and housing rights (Canada);

137.59 Accelerate the examination of complaints on discrimination and apply relevant judgments (Tunisia);

137.64 Intensify its efforts to combat gender-based violence against women and girls, including from minority communities (Sweden);

137.107 Change the public policies and abolish legislation, norms, mechanism or discriminatory provisions against Palestinians living in Israel and in the occupied territories, including putting an end to the segregated roads for the exclusive use of the Israeli population, the settlements, the restrictions to the freedom of movement of Palestinians, the control posts, and the separation walls, the use of human shields in operations of the Israeli military and the practice of selective killings through the use of drones (Ecuador);

137.108 Put an end to the policy of colonization with illegal settlements (Cuba)

137.109 Fully restore the rights and dignity of the Palestinian people, including their rights to life, to live in dignity, adequate food, housing, health and education, as well as their freedom of movement (Malaysia);

137.110 Ensure non-discrimination to the Palestinian families in Israel regarding health and education of children, in particular those living in poverty, rural areas and refugee camps (Tunisia);

137.145 Guarantee the Palestinian people access to all basic services, especially drinking water (Venezuela (Bolivarian Republic of));

137.149 Demolish the shameful wall of separation which violates the human rights of the Palestinians (Venezuela (Bolivarian Republic of));

137.152 Cease immediately the colonization through construction of illegal settlements (Pakistan);

137.153 Halt the colonization with illegal settlements and the destruction of the homes, cultural and religious sites of the Palestinian people (Venezuela (Bolivarian Republic of));

137.154 Suspend, without conditions, the expansion of settlements that violate fundamental rights of the Palestinian population, and remedy the negative impact (Costa Rica);

137.162 Accept and implement the ICJ Advisory Opinion on the Legal Consequences of the Construction of a Wall in the OPT (Brazil);

137.169 Immediately stop the blockade on the Gaza Strip (Qatar);

137.171 Take urgent and immediate steps to end its occupation of all Palestinian and Arab Territories occupied since 1967 (South Africa);

137.172 Put an end to the occupation of all occupied Arab land, including East Jerusalem and the Golan Heights (Sudan);

137.173 Stop the transfer of its population to the occupied territory and put an end to all measures that encourage or perpetuate the settlements (Switzerland);

137.178 Put an end to the blockade of the Gaza strip, and guarantee full access to the Palestinian population to all basic services (Cuba);

137.179 Refrain from all settlement activities in occupied territories (Brazil).

138. Recommendations listed below, do not enjoy Israel's support due to the fact that they contain the term "State of Palestine". Israel considers that the term "State of Palestine" was adopted as a result of a General Assembly resolution 67/19 and at the request of the PLO delegation to the UN. Israel wishes to reiterate that the term does not imply the existence of a sovereign State of Palestine, nor recognition as such; the issue of statehood, as well as all other permanent status issues will be decided between the parties only as part of a process of direct bilateral negotiations.

[Note: Whilst Greece was the only country that explicitly raised sexual orientation and gender identity during the UPR of Israel, we remain concerned with wider issues of discrimination and occupation that also affect LGBTIQ people more widely in Israel, Palestine and the occupied territories. There were many other references in the report and recommendations that were relevant or are similar to those excerpted here. We recommend that those interested read the full report of the UPR working group, available online at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/ILSession15.aspx>]

CONGO

Date of review: Wednesday, 30 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

14. Le chef de la délégation congolaise a déclaré que la création d'un ministère de la promotion de la femme et de l'intégration de la femme au développement répondait aux aspirations et aux attentes des femmes en matière des droits humains. L'égalité entre les sexes est garantie par la Constitution et la loi assure un accès égal homme/femme à l'emploi. A qualification égale, il y a salaire égal entre femmes et hommes. Les femmes participent à toutes les instances de prise de décision.

15. Il a indiqué que les violences sexuelles et les mutilations génitales féminines étaient interdites par la loi. Bien que culturellement les congolais ne soient pas enclins à cette pratique, certaines communautés congolaises ne font pas mystère de leur adhésion à cette coutume hautement discutable. Il a relevé les importants progrès réalisés dans le domaine de la santé des mères et des filles en matière de consultations obstétricales, de lutte contre la transmission du VIH Sida de la mère à l'enfant.

B. Interactive dialogue and responses by the State under review

27. Liechtenstein acknowledged the Congo's efforts to overcome gender inequality and its commitment to international justice, but noted CEDAW's concern about discriminatory legal provisions, customary practices and local traditions regarding marriage, inheritance and property rights. It made recommendations.

39. Rwanda commended the Congo's enhanced legislative and institutional framework for the promotion and protection of human rights. It applauded the adoption of legislation against FGM and measures to address trafficking in persons, especially women and children. It made recommendations.

40. Senegal welcomed measures to eradicate FGM and encouraged the Congo to conduct awareness campaigns against sexual violence. It noted that the implementation of measures to promote and protect human rights, especially in relation to health and education. It made recommendations.

43. Slovakia welcomed strengthening children's rights through accession to the Optional Protocol of the CRC, and encouraged the government on the full implementation of the CRC. It was concerned by educational restrictions faced by girls and women and their lower literacy rate. It encouraged it to extend a standing invitation to all HRC Special Procedures. It made a recommendation.

50. Sweden asked for details of actual or potential measures to ensure full awareness of minority and indigenous groups' rights and how the Government intended to increase investigations, prosecutions and sentences for sexual violence. It made recommendations.

53. Tunisia encouraged the Congo to continue combating all forms of discrimination and violence towards women. It called on the OHCHR and the international community to respond favourably to requests for technical assistance. It made recommendations.

73. La lutte contre les violences sexuelles est une préoccupation du gouvernement. C'est pourquoi, deux projets de loi ont été élaborés: l'un sur les violences sexospécifiques, assorti d'un plan d'action 2013-2017, l'autre sur la définition et la répression du harcèlement sexuel. Ces deux projets de loi sont complémentaires aux dispositions déjà existantes dans le code pénal et le code de procédure pénale, a indiqué le chef de la délégation congolaise.

74. Armenia noted steps taken to protect children, including the adoption of legislation prohibiting child labour, recruitment of child soldiers or the trafficking or sale of children. It encouraged efforts to ensure women's equal rights to property ownership, employment and political life. It made recommendations.

77. Belgium noted that women continued to suffer from all forms of discrimination and violence. It also noted that, despite a de facto moratorium on the death penalty, its 2009 commitments had yet to be implemented. It made recommendations.

80. Brazil noted the adoption of legislation and action plans on gender, children's rights and health. However, it remained concerned about women's rights, the disproportionately high number of women with HIV/AIDS and women's lack of awareness of their rights. Brazil made recommendations.

81. Burkina Faso welcomed the strengthening of the National Human Rights Commission and commended progress made in education and reducing maternal and infant mortality. It encouraged further efforts in that regard. It welcomed the prohibition on FGM. Burkina Faso made recommendations.

90. The Maldives encouraged enactment of core human rights instruments in domestic law. It expressed concern over the level of gender-based violence and discrimination. Noting widespread use of torture, it encouraged adoption of a related law and definition. It made recommendations.

92. Cuba noted efforts to guarantee the right to education and non-discrimination; and welcomed initiatives to improve access to drinking water, reduce infectious diseases, eliminate all forms of discrimination against women, and the investment in women's and children's health. It made recommendations.

97. Estonia urged implementation of Act No. 5-2011 on the promotion and protection of indigenous peoples. It called for a law on violence against women, and encouraged sexual and reproductive health education and access to health care. It encouraged death-penalty abolition. It made recommendations.

102. Hungary regretted use of the death penalty for certain crimes. It expressed concerns over discriminatory legal provisions and violence against women. It requested information on the mandate of the Observatory for Violence Control, and inquired about the forms of violence it addressed. It made recommendations.

105. Italy encouraged further efforts to improve birth registration and legislation of indigenous peoples. It encouraged a moratorium on the capital punishment. It expressed concern over violence and discriminatory practices against women, particularly refugees. It requested information on initiatives to address discriminatory legal provisions and harmful traditional practices. It made recommendations.

II. Conclusions and/or recommendations

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

111.30. Enact legislation establishing a clear definition of discrimination against women (United States of America);

111.32. Speed up the review of all legislative codes, so as to bring them into conformity with ratified international instruments, particularly taking the necessary actions to include in national legislation discrimination and violence against women and eliminate existing discrimination regarding the right to property, community property and land inheritance (Paraguay);

111.33. Adopt legal measures to eliminate all forms of discrimination against women and girls, including legislation concerning the right of ownership, sharing and inheritance of land for women (Maldives);

111.34. Carry out the legislative reform to ensure de jure and de facto equality between men and women and adopt a comprehensive law repressing all forms of violence against women (Tunisia);

111.55. Increase its efforts to ensure the full realisation of women's civil, political, economic, social and cultural rights by establishing national programmes to empower women's organisations and groups through the provision of technical and financial support and microcredit (United Kingdom of Great Britain and Northern Ireland);

111.81. Strengthen the implementation of measures and provisions to eradicate all forms of discrimination and sexual violence against women and girls, including the development of programs of dissemination, prevention and assistance (Chile);

111.83. Combat gender-based discrimination and implement the UN Security Council resolution 1325 and related resolutions on women, peace and security (Estonia);

111.84. Review and repeal all legal provisions which discriminate against women, especially provisions in the Family Code, Penal Code and tax law, with a view to achieving de jure equality (Liechtenstein);

111.85. Ensure gender equality in inheritance matters, as well as the protection of women against harmful traditional practices (Côte d'Ivoire);

111.86. Continue its efforts to ensure equality between men and women regarding inheritance and property rights (Angola);

111.87. Accelerate the review and subsequent reform of the Family Code so as to eliminate all remaining discriminatory provisions (Spain);

111.88. Prioritize, with support from the Office of the High Commissioner for Human Rights and the international community, the legislative reform to harmonize the national legislation with CEDAW, abrogate the discriminatory provisions in the Family Code, Penal Code and tax legislation in order to achieve legal equality and allow real equality for women, while adopting a general law on violence against women (Uruguay);

111.89. Step up its efforts to end discriminatory traditional practices by organising large-scale awareness-raising campaigns on women's rights, which target local and religious leaders as well as the population in general (Liechtenstein);

111.95. Continue its efforts to combat and prevent discrimination and acts of violence against women (Argentina);

111.96. Continue strengthening measures aimed at addressing issues of domestic violence and female genital mutilation, including raising awareness campaigns, ensuring effective access to justice for victims, and developing a comprehensive support system for gender-based violence victims (Botswana);

111.97. Remain steadfast in pursuing its impressive policies towards gender equality, particularly by strengthening measures to eradicate gender-based violence (Lesotho);

111.98. Design and implement an action plan to address gender based violence including domestic violence and sexual harassment (Sierra Leone);

111.99. Develop and implement, in collaboration with civil society, a comprehensive national strategy against gender-based violence, including domestic violence, sexual harassment and harmful traditional practices, including female genital mutilation (Ireland);

111.100. Take the necessary steps to eradicate domestic and sexual violence against women, especially minor women, whose numbers continue being significantly high. In this, sense, it is necessary to monitor the prevalence of cases of sexual violence in the framework of armed conflicts in order to achieve two goals: reduce the number of victims and provide victims with adequate sanitary and psychological attention. (Ecuador);

111.101. Amend and review all legislative provisions which constitute a de facto discrimination against women and establish a timeline for the adoption of a comprehensive strategy to combat sexual violence including female genital mutilation (Hungary);

111.102. Take steps to investigate sexual violations against women and adopt measures to prevent the repetition of acts against civilians by any of the groups in conflict, in compliance to international humanitarian law (Mexico);

111.103. Create a system, to include training for law enforcement, legal professionals and health care personnel, for providing legal and medical aid to survivors of gender based violence, including rape and sexual violence, domestic violence, and female genital mutilation (United States of America);

111.104. Improve the implementation of national legislation on sexual violence and ensure that perpetrators are brought to justice (Sweden).

112. The following recommendations enjoy the support of the Congo which considers that they are already implemented or in the process of implementation:

112.2. Continue its efforts and carry out education, information and awareness-raising activities aimed at an effective fight against female genital mutilations (Burkina Faso);

112.3. Adopt legislation prohibiting female genital mutilation, in addition to the provisions under Act No.4/2010 (Paraguay);

112.4. Develop a national strategy to eliminate all discriminatory practices against women, conduct awareness campaigns to eliminate inequality and abolish the practice of female genital mutilation, and ensure access to education for all women and girls (France);

112.5. Put into effect a more comprehensive approach to protect women and girls from any form of violence, especially by increasing measures aimed at preventing abuses and assisting victims (Italy).

114. Congo considers that the recommendations below cannot be accepted:

114.1. Guarantee equal rights for all citizens, and fight against all forms of discrimination based on sexual orientation or gender identity (France);

114.2. Eliminate from its legislation all forms of sexual discrimination, and take all the necessary measures to effectively enforce this (Belgium);

114.3. Increase rate of women participation in decision-making in the legislative organ to 25% (South Sudan).

MALTA

Date of review: Wednesday, 30 October 2013

I. Summary of the proceedings of the review process

A. Presentation by the State under review

8. On the occasion of the International Day against Homophobia and Transphobia, the Government signed a declaration calling for a comprehensive policy approach - at European Union level and across the European Union - on LGBTI issues aiming at improving human rights and mainstreaming equality for LGBTI people.

9. The delegation stated that the new government was fully committed to the protection of the rights of LGBTI persons. A few weeks after being elected, the Government reached an out-of-court (ECHR) settlement with a transgender person who was previously prevented from marrying by Maltese law. Subsequently the civil code was amended to allow persons who undergo a legally recognised gender change to be recognised in the new gender acquired in the remaining areas hitherto not acknowledged. With regard to same-sex relationships, the Government presented a bill in Parliament aimed at the legal recognition of same-sex couples and once enacted, same-sex couples would be able to register their union and be granted equal marriage rights. The law would also provide for the recognition of civil marriages contracted by same-sex partners outside of Malta.

10. The drafting of the Civil Union Act was one of the tasks given to the newly founded Consultative Council on LGBTI rights, which was assigned to advise government and that was made up of NGOs representing the LGBTI community.

22. The National Commission for the Promotion of Equality (NCPE) has worked to safeguard and promote equal treatment based on the grounds of sex/gender and family responsibilities, sexual orientation, age, racial or ethnic origin, religion or belief and gender identity in employment, banks and financial institutions as well as education and vocational training. It also worked to ensure equality based on racial or ethnic origin and gender in the provision of goods and services and their supply. It carried out training on equality and non-discrimination issues, investigated complaints and provided independent assistance to persons facing discrimination. Its role also extended to monitoring the implementation of national policies with respect to the promotion of equality for men and women through gender-mainstreaming. The delegation stated that the Government has been working to extend the remit of NCPE to a Human Rights Institution in accordance with the Paris principles.

B. Interactive dialogue and responses by the State under review

32. The United Kingdom of Great Britain and Northern Ireland welcomed progress in LGBT issues and urged Malta to reform its judicial system to minimize time spent in pre-trial detention, and ensure equal application of the law. It encouraged the integration of beneficiaries of international protection,

guaranteeing the wellbeing of vulnerable asylum seekers and migrants and ensuring the safety of migrants crossing the Mediterranean. It made recommendations.

33. The United States of America commended Malta's human rights record and commitment to the promotion of such rights, both domestically and internationally. It praised recent efforts to promote LGBT rights. It was concerned by the lack of a formal mechanism referring trafficking victims to appropriate services, the detention of young and vulnerable migrants and difficult detention conditions for some migrants. It made recommendations.

36. Albania commended Malta's legal coverage of all human rights. It noted Malta's commitment to the rights of vulnerable groups through its National Commissions and steps enhancing LGBT rights. It praised the amendment to the Civil Code introducing divorce as a legal remedy, and the amendment to the Equality for Men and Women Act and the "Unlocking the Female Potential" project. Albania made recommendations.

39. Armenia welcomed the legislative and administrative changes made since the previous UPR to improve human rights, particularly the ratification of CRPD and Optional Protocols to the CRPD and CRC. It praised projects implemented to protect vulnerable groups and guarantee the protection of their rights. It welcomed efforts relating to non-discrimination, especially by promoting equality on the basis of sexual orientation, age, religion, gender and race. Armenia made recommendations.

40. Australia commended Malta's commitment to human rights and welcomed legislative steps to overcome discrimination and hate crimes based on gender identity and sexual orientation. It welcomed the extension of the mandate of the National Commission for the Promotion of Equality. It noted the growing participation of women in the workforce and at high level of government. Australia encouraged Malta to continue addressing the challenges of increasing irregular migration. Australia made recommendations.

41. Austria commended Malta's efforts since its previous UPR, particularly the establishment of a ministry responsible for civil liberties. It praised the provision of an efficient migration and asylum system but encouraged Malta to abolish detention for migrant children. It noted progress in the equality of LGBT individuals, but regretted that Malta had not ratified the Optional Protocol to the CEDAW. Austria made recommendations.

43. Belgium commended Malta's appointment of a Minister responsible for civil liberties and new initiatives to protect minors, the rights of people with disabilities and the right of equality. Belgium was concerned by the traditional gender stereotypes present in Maltese society and that women were still not fully integrated in political and economic life and suffered discrimination. Belgium made recommendations.

44. Brazil commended Malta's national report, which comprehensively addressed the issues raised during its previous UPR. It welcomed progress concerning LGBT rights, namely the designation of sexual orientation and gender identity as an aggravating circumstance in criminal offences and the extension of the definition of "discrimination" to include discrimination against LGBT individuals. Nonetheless detention conditions of migrants remained an issue of major concern. Brazil made recommendations.

49. Cyprus asked Malta for an assessment of the extension of the remit of the National Commission for the Promotion of Equality to cover equal treatment on the grounds of gender and family responsibilities and gender identity in employment. It requested information on the results of the project aimed at improving women's access to employment and participation in the labour markets. Cyprus made a recommendation.

59. Iceland applauded signature of the Council of Europe Convention on preventing and combating violence against women and domestic violence, but expressed concern regarding prevalence of gender-based violence. Iceland urged strengthened measures against trafficking. It welcomed the

extended remit of the National Commission for the Promotion of Equality and encouraged policies to overcome traditional gender stereotypes, ensure equal employment opportunities and strengthen women's representation in decision-making. Iceland made recommendations.

68. China appreciated Malta's efforts to implement accepted recommendations of the first UPR. It commended efforts to promote equality in terms of age, race, gender, religion and gender orientation and to protect the rights of vulnerable groups including women, children and persons with disabilities, as well as promoting health services. China made a recommendation.

69. The Netherlands commended the rescue at sea of migrants, and collaboration through the European Asylum Support Office in Valetta, noting the particular vulnerability of unaccompanied minors. It applauded progress made in fighting discrimination on grounds of sexual orientation and gender identity. The Civil Unions Bill, which would recognize same-sex partnerships, would be welcome. It expressed concern about criminalization of abortion in all cases. It made recommendations.

72. Norway commended the Civil Liberties Law to allow equal rights for same-sex civil unions, pursuant to recommendations accepted during the first cycle of the UPR. Norway referred to recommendations to improve detention conditions for foreign nationals and proposals for improving the asylum system. It recalled efforts to move from punishment to reform in correctional facilities, but noted reports had expressed concern about conditions at the Corradino Facility. Norway made recommendations.

98. In response to the question on same-sex couples, the delegation [of Malta] informed that the legislative initiatives were launched to provide for the possibility of a civil union between same-sex couples.

II. Conclusions and/or recommendations

102. The following recommendations will be examined by Malta which will provide responses in due time, but no later than the 25th session of the Human Rights Council in March 2014:

102.51. Continue taking measures to eradicate gender discrimination and to promote effective equality and the overcoming of traditional stereotypes, for instance through awareness raising campaigns or programs at the education field (Spain);

102.64. Adopt further measures to combat all forms of discrimination, including discrimination based on sexual orientation and gender identity (Norway);

102.65. Further progress in combating all forms of discrimination, including against LGBT persons, through the introduction and implementation of appropriate legislation, policy and practice (United Kingdom of Great Britain and Northern Ireland);

102.66. Continue to strengthen its legislative and institutional frameworks to enhance the rights of LGBTI people (Australia);

102.95. Sustain its policy that recognizes the family, based on the stable relationship between a man and a woman, as the natural and fundamental unit of society (Holy See);

102.96. Provide, in accordance with its obligations under international human rights law instruments, effective protection for the family as the fundamental and natural unit of society (Egypt);

102.99. Take concrete steps in ensuring comprehensive sexuality education for children and young people (Finland).