



# International Covenant on Civil and Political Rights

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## Human Rights Committee

### Concluding observations on the second periodic report of Mauritania\*

1. The Human Rights Committee considered the second periodic report of Mauritania (CCPR/C/MRT/2) at its 3615th and 3616th meetings (see CCPR/C/SR.3615 and 3616), held on 4 and 5 July 2019. At its 3636th meeting, held on 19 July 2019, it adopted the present concluding observations.

#### A. Introduction

2. The Committee welcomes the timely submission of the second periodic report of Mauritania. It expresses appreciation for the opportunity to engage in a constructive dialogue with the State party's delegation on the measures taken to implement the provisions of the Covenant. The Committee is grateful to the State party for its written replies (CCPR/C/MRT/Q/2/Add.1) to the list of issues (CCPR/C/MRT/Q/2), and for the supplementary information provided to it in writing after the dialogue.

#### B. Positive aspects

3. The Committee welcomes the adoption of the following legislative, policy and institutional measures by the State party:

(a) Act No. 2018-024 of 21 June 2018 on the General Child Protection Code, which prohibits corporal punishment in penal institutions and female genital mutilation;

(b) Act No. 2015-033 of 10 September 2015 on combating torture, which repeals and replaces Act No. 2013-011 of 23 January 2013 on the punishment of slavery and torture as crimes against humanity and makes torture a separate crime not subject to any statute of limitations;

(c) Act No. 2015-034 of 10 September 2015 on the establishment of a national mechanism for the prevention of torture;

(d) Act No. 2015-030 of 10 September 2015 on legal aid and Order No. 171-2017 of 2017 on the composition of legal aid offices;

(e) Act No. 2015-031 of 10 September 2015 on the criminalization and punishment of slavery and slavery-like practices, which establishes slavery as a crime against humanity and provides for the establishment of special courts to combat such practices;

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\* Adopted by the Committee at its 126th session (1–26 July 2019).



(f) The road map for the implementation of the 2014 recommendations of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, and the establishment of an interministerial committee responsible for coordination, oversight and follow-up;

(g) The national action plan on gender-based violence for the period 2014–2018.

## C. Principal matters of concern and recommendations

### Applicability of the Covenant in the domestic legal order

4. The Committee takes note of article 80 of the Constitution, which enshrines the primacy of international treaties over domestic legislation. While noting the efforts made by the State party to disseminate the Covenant, the Committee reiterates its concerns and regrets the lack of information regarding examples of cases in which the Covenant has been invoked before or applied by the courts (art. 2).

**5. With a view to ensuring the primacy of the Covenant and realizing fully the rights enshrined therein, the State party should step up measures to raise awareness of the Covenant among judges, prosecutors and lawyers, so as to ensure that its provisions are taken into account before and by the national courts. It should also consider acceding to the first Optional Protocol to the Covenant, which establishes an individual complaint mechanism.**

### Reservations

6. The Committee remains concerned that the reference in the preamble to the Constitution to Islam as the only source of law could lead to legislative provisions that are not compatible with the provisions of the Covenant. The Committee notes with regret the State party's position that it will maintain its reservations to articles 18 and 23 (4) of the Covenant, under which these articles are applicable only to the extent that they do not affect the prescriptions of sharia law. The Committee is of the view that these reservations are incompatible with the object and purpose of the Covenant (arts. 2, 18 and 23).

**7. The Committee reminds the State party that it should ensure that the reference to Islam does not prevent the full application of the Covenant in its legal order and is not interpreted or applied in such a way as to impede the enjoyment of the rights set forth in the Covenant. The Committee encourages the State party to withdraw its reservations to articles 18 and 23 (4) of the Covenant.**

### National Human Rights Commission

8. The Committee notes with concern that, despite the amendments introduced to Organic Act No. 2017-016 of 5 July 2017 on the composition, organization and functioning of the National Human Rights Commission, the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions recommended in November 2017 that the Commission should be downgraded to B status, principally owing to the lack of transparency in its selection process and its real or perceived lack of independence from the executive (art. 2).

**9. The State party should take all necessary steps, including the adoption of legislative measures, to bring the National Human Rights Commission into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It should, in particular, ensure that the process for selecting and appointing members of the Commission is clear, transparent and participatory and provide the Commission with sufficient resources and capacity, as well as full autonomy, to carry out its mandate effectively.**

### **The fight against impunity and past human rights violations**

10. The Committee notes the information provided by the State party regarding the measures taken following the events of the period of “unresolved humanitarian issues”, in particular the voluntary repatriation of 24,536 Mauritanian refugees from Senegal between 2008 and 2012, the efforts to compensate victims or their beneficiaries and the State’s recognition of responsibility at a commemoration day. However, the Committee is concerned that the State party has no plans to amend Act No. 93-23 of 14 June 1993 on amnesty, which prevents the assigning of responsibility for the human rights violations committed during that period and does not allow access to effective remedies for victims and their beneficiaries (arts. 2, 6, 7 and 14).

**11. The State party should take all necessary steps to definitively resolve the humanitarian consequences of the events of 1989 to 1991, in particular by repealing Act No. 93-23 in order to establish the facts of the offences, prosecute and appropriately punish those responsible and award full reparation to all the victims and their beneficiaries.**

### **Non-discrimination**

12. The Committee notes the constitutional provisions prohibiting discrimination, as well as the adoption of Act No. 2018-023 of 18 January 2018 on the criminalization of discrimination. It is, however, concerned at the lack of a clear definition and criminalization of direct and indirect discrimination that covers all the grounds enumerated in the Covenant, including sexual orientation and gender identity. The Committee is concerned that the lack of legal clarity may lead to many of the Act’s provisions being interpreted in such a way as to restrict the enjoyment of some rights and freedoms and perpetuate discriminatory practices. The Committee is further concerned at acts of discrimination and stigmatization against specific minorities on account of their sexual orientation or gender identity and regrets that sexual activity between consenting adults of the same sex remains an offence that carries the death penalty under article 308 of the Criminal Code (arts. 2, 6, 19, 20 and 26).

**13. The State party should amend Act No. 2018-023 to bring it fully into line with the Covenant by incorporating a definition of discrimination, both direct and indirect, including in the private sphere, that contains an exhaustive list of the grounds for discrimination enumerated in the Covenant and covers sexual orientation and gender identity. It should also ensure that the Act provides sufficient guarantees of effective civil and administrative remedies for any type of discrimination. Moreover, it should repeal article 308 of the Criminal Code in order to decriminalize sexual relations between consenting adults of the same sex and release anyone currently detained under this article.**

14. While it notes the information provided by the State party, the Committee remains concerned at the persistence of traditional social structures and cultural prejudices that continue to stoke racial discrimination and to marginalize the Haratin and black African (Halpular, Soninké and Wolof) communities, particularly in terms of access to education, employment, housing, health care, social services, land and natural resources. The Committee is also concerned at reports that the representation of these communities in political and public affairs remains very limited, including in leadership and decision-making positions in public administration, the army and the police, in elective office at the national level and in the private sector and the media (arts. 2, 25 and 26).

**15. The State party should:**

(a) **Ensure the effective implementation of existing legislative provisions against racial discrimination and raise awareness of those provisions among the general public and among judges, prosecutors, lawyers, police and other law enforcement officers;**

(b) **Take action to improve the representation of the black African and Haratin communities in all spheres of political and public affairs, including in elective office and decision-making positions in executive bodies, public administration, the**

**army, the police, the private sector and the media; it should also provide statistical data in this regard in its next periodic report;**

**(c) Step up the implementation of special measures in respect of the black African and Haratin communities in order to promote their full integration into society, particularly in terms of access to education, employment, housing, health care, land and natural resources.**

#### **Gender equality and discrimination against women**

16. The Committee welcomes the adoption of the National Strategy for Gender Mainstreaming and the State party's efforts to ensure better representation of women in political and public affairs. Nevertheless, it is concerned that in practice, despite these efforts, the representation of women, especially Haratin and black African women, remains insufficient, in particular in the judiciary, diplomacy and high public office. The Committee is also concerned that many provisions that discriminate against women remain in effect, particularly provisions of the 2001 Personal Status Code and the 1961 Nationality Code (arts. 2, 3, 25 and 26).

**17. The State party should pursue its efforts to improve, in practice and within a reasonable time frame, the representation of women, especially Haratin and black African women, in political and public affairs, in particular in the judiciary, diplomacy and high public office. It should also amend the discriminatory provisions of the Personal Status Code and the Nationality Code with the aim of giving full effect to the principle of gender equality enshrined in the Constitution and the Covenant.**

#### **Violence against women**

18. The Committee welcomes the adoption of the national action plan on gender-based violence for the period 2014–2018. However, it remains concerned that violence against women continues to be prevalent and socially acceptable and regrets that the Parliament recently rejected a bill on gender-based violence. It is further concerned at:

(a) The lack of a definition of rape in the Criminal Code, which gives the courts considerable leeway in determining whether to accept or reject this classification;

(b) The practice of accusing women victims of rape of having committed adultery (*zina*);

(c) The lack of information on the measures taken to make it easier for women to file complaints and on the number of complaints filed and registered, investigations conducted, prosecutions brought and convictions handed down;

(d) The lack of information on the steps taken to provide women victims of violence with protection, assistance and support.

**19. The State party should:**

**(a) Raise awareness among members of Parliament and the general public to promote the enactment of the bill on gender-based violence and to speed up the adoption of a new national action plan on gender-based violence;**

**(b) Introduce a definition of the offence of rape, referred to in article 309 of the Criminal Code, in a manner consistent with international human rights standards;**

**(c) Step up efforts to investigate cases of violence against women, in the private and public spheres alike, and to prosecute and punish those responsible;**

**(d) Take steps so that women victims of rape are not prosecuted for adultery (*zina*);**

**(e) Ensure that protection measures, assistance and effective remedies are available and accessible to all women victims of violence.**

### **Harmful practices against women and girls**

20. The Committee welcomes the adoption of the General Child Protection Code and of Act No. 2017-025 of 15 November 2017 on reproductive health, which prohibit and punish female genital mutilation performed on girls under the age of 18 years. It also welcomes the adoption of the national strategy to promote the abandonment of female genital mutilation for the period 2016–2019. Although the overall prevalence of the practice has fallen in recent years, the Committee remains concerned by its persistence on a major scale in some regions and among some ethnic groups. Furthermore, the Committee notes with deep concern that child marriage remains very common, despite the implementation of the national action plan to promote the end of child marriage for the period 2014–2016 and associated activities.

21. **The State party should:**

(a) **Amend its legislation to prohibit the practice of female genital mutilation against all women and girls;**

(b) **Ensure that all cases of female genital mutilation are promptly investigated and prosecuted, that perpetrators and accomplices are appropriately punished and that victims have access to social and medical services;**

(c) **Strengthen awareness-raising and education programmes with a view to eradicating the practice;**

(d) **Amend the Personal Status Code in order to prohibit marriage under the age of 18 years, without exception, and take all necessary steps to eliminate child marriage.**

### **Voluntary termination of pregnancy**

22. The Committee takes note of the steps taken by the State party to improve access to health-care and information services in the field of sexual and reproductive health and to combat maternal and infant mortality, particularly the adoption and implementation of Act No. 2017-025 on reproductive health and the national strategy on reproductive health for the period 2016–2020. The Committee is nonetheless concerned by article 293 of the Criminal Code, which criminalizes abortion except in limited circumstances. It is concerned that such restrictions drive women to turn to unsafe backstreet abortions under conditions that put their lives and health in danger (arts. 3, 6, 7, 17 and 26).

23. **The State party should amend its legislation to provide safe access to abortion in order to protect the lives and health of pregnant women and girls in situations in which carrying a pregnancy to term would cause the woman substantial suffering, especially when the pregnancy is the result of rape or incest or is not viable. Furthermore, it should ensure that women and girls who have abortions, and the physicians assisting them, are not subject to criminal penalties.**

### **Death penalty**

24. The Committee takes note of the de facto moratorium observed by the State party since 1987. It is concerned, however, at the large number of offences that still carry the death penalty, including some that do not fall within the category of the most serious crimes, i.e. those involving intentional killing. The Committee regrets the recent amendment to article 306 of the Criminal Code rendering the death penalty mandatory in cases of “blasphemous remarks” and “sacrilege”, with no possibility for those concerned to repent or appeal. It further regrets that the death penalty continues to be handed down by the courts and that stays of execution are dependent on pardons granted on a case-by-case basis. Moreover, the Committee remains concerned that the Criminal Code provides for execution by stoning (arts. 6, 7 and 14).

25. **The State party should:**

(a) **Amend the Criminal Code in order to bring it fully into line with article 6 (2) of the Covenant and to limit the crimes subject to the death penalty to the most serious crimes, involving intentional killing;**

- (b) **Remove from the Criminal Code all references to stoning as a method of execution;**
- (c) **Commute the sentences of prisoners currently on death row to imprisonment;**
- (d) **Initiate a political and legislative process aimed at the abolition of the death penalty and carry out public advocacy efforts and campaigns to promote this objective;**
- (e) **Consider acceding to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty.**

#### **Torture and cruel, inhuman and degrading treatment**

26. The Committee welcomes the adoption of Act No. 2015-033, which contains a definition of torture in line with the Covenant, as well as the promulgation of Act No. 2015-034 on the establishment of a national mechanism for the prevention of torture. However, it remains concerned at consistent reports that torture is still a common practice in the police and gendarmerie forces, typically during arrest, police custody and transfers, especially in cases of terrorism-related offences. The Committee is also concerned at reports that, some progress notwithstanding, investigators often use ill-treatment to extract confessions which are then used by the courts to establish guilt. It is further concerned by consistent reports of a failure to follow up on allegations of torture (arts. 2 and 7).

#### **27. The State party should:**

- (a) **Enforce the absolute ban on torture and ensure that whosoever commits or orders such acts, is an accomplice to their commission or tacitly allows them to be committed will be held personally accountable before the law;**
- (b) **Ensure that all allegations of torture or ill-treatment are investigated promptly and impartially by an independent body and that suspected perpetrators are duly brought before a court and, if found guilty, are sentenced to punishment commensurate with the gravity of their acts;**
- (c) **Set up an independent, effective, confidential and accessible mechanism for the lodging of complaints at all places of police custody and in prisons and ensure that both complainants and victims are protected, in practice, against reprisals in any form;**
- (d) **Ensure that, in accordance with the Code of Criminal Procedure, confessions obtained under duress or torture are not used or accepted by the courts as evidence of the guilt of suspects.**

#### **Corporal punishment**

28. The Committee notes with concern that the Criminal Code still contains provisions permitting corporal punishment such as flogging and amputation, which, by their very nature, are a serious violation of article 7 of the Covenant (arts. 6 and 7).

**29. The State party should repeal provisions of its legislation providing for punishments that constitute violations of article 7 of the Covenant, such as flogging and amputation.**

#### **Slavery**

30. The Committee welcomes the measures taken by the State party to combat slavery and slavery-like practices and their legacy, in particular the adoption of Act No. 2015-031 on the criminalization and punishment of slavery and slavery-like practices, and the establishment of the national agency Tadamoun for the purpose, inter alia, of eradicating the legacy of slavery. Nevertheless, the Committee remains concerned by:

- (a) The persistence of situations of slavery and of prejudices in this regard that are deeply rooted in certain traditions;

(b) The lack of data with which to gauge the extent of this practice;

(c) The difficulties that victims of slavery encounter in filing complaints with the police and judicial authorities in order to enforce their rights and the persistent challenges faced by those authorities in investigating such cases, prosecuting the perpetrators in an effective, independent and impartial manner and imposing appropriate penalties;

(d) The inadequacy of resources allocated to the three specialized courts in Nouakchott, Nouadhibou and Néma (arts. 8 and 16).

**31. The State party should:**

(a) **Collect data on the extent to which situations of slavery still exist and intensify its efforts to eliminate all vestiges of such situations, in particular by ensuring the effective application of Act No. 2015-031;**

(b) **Ensure the full realization of the recommendations contained in the road map for implementation of the recommendations of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, and regularly assess implementation in consultation with the communities concerned and civil society organizations;**

(c) **Ensure that victims of slavery are able to file complaints, in practice, without being subjected to any form of pressure and that such complaints are registered, investigations are conducted, cases are prosecuted and perpetrators are sentenced to penalties that are commensurate with the gravity of the offence;**

(d) **Provide the three specialized courts in Nouakchott, Nouadhibou and Néma with enough financial and human resources to enable them to function properly.**

**Liberty and security of person**

32. While the new law on combating torture ensures all fundamental guarantees from the outset of deprivation of liberty, the Committee notes with concern that its provisions are rarely applied, if at all, as the provisions of the Code of Criminal Procedure relating to police custody and the laws on terrorism, corruption and narcotics are given precedence by Mauritanian judges. Consequently, persons arrested for the offences covered by such laws can be held in police custody for lengthy periods, up to 45 days in terrorism cases, without being brought before a judge and without having access to legal counsel. The Committee is of the opinion that such regimes expose the accused to a high risk of torture or ill-treatment. In addition, the Committee remains concerned that:

(a) The 48 hours of police custody for ordinary cases, renewable once, with authorization, is often extended, as non-working days are not counted as part of the maximum period of custody;

(b) Access to a lawyer from the outset of deprivation of liberty is guaranteed only if the person requests it; otherwise, the person is assigned a court-appointed defence counsel at the time of appearance before a judge, and only in criminal cases;

(c) There are still very few lawyers and their concentration in the capital city prevents the realization, in practice, of the right to counsel across the country;

(d) Detainees are sometimes denied access to a medical examination upon admission to places of detention and guards are sometimes present during examinations;

(e) Some detention registers are poorly kept and even, on occasion, filled in after the fact (arts. 9, 14, 19, 21 and 22).

**33. The State party should:**

(a) **Amend the provisions of the Code of Criminal Procedure and of laws on terrorism, corruption and narcotics that conflict with Act No. 2015-033 on combating torture and bring them into line with international standards on fundamental legal safeguards;**

(b) **Increase training and dissemination efforts regarding Act No. 2015-033;**

(c) **Ensure that the maximum period of police custody does not exceed 48 hours, including non-working days, irrespective of the charges, and that it is renewable only under exceptional, fully reasoned circumstances;**

(d) **Ensure that detainees have effective access to a lawyer from the outset of police custody, are brought in person before a judge at the end of this period and can challenge the legality or necessity of their detention at any stage of proceedings;**

(e) **Guarantee that all detainees, whatever the charges brought against them, benefit from the fundamental legal safeguards provided under Act No. 2015-033, from the outset of their deprivation of liberty, and ensure that penalties are imposed for non-compliance with this obligation.**

#### **Incommunicado detention**

34. While the Committee appreciates the demands of combating terrorism, it reiterates its concerns regarding the overly vague and imprecise definition of the offence of terrorism under article 3 of Act No. 2010-035 of 21 July 2010 repealing and replacing Act No. 2005-047 of 26 July 2005 on combating terrorism. It is also concerned about reports that terrorism suspects can be arrested and held in incommunicado detention in places not officially recognized as places of detention, and subjected to torture in order to force them to confess (arts. 2, 6, 7, 9 and 16).

#### **35. The State party should:**

(a) **Amend article 3 of Act No. 2010-035 on combating terrorism to bring it fully into line with international standards;**

(b) **Ensure that no one is held in incommunicado detention or in a place not officially recognized as a place of detention.**

#### **Treatment of refugees, asylum seekers and stateless persons**

36. The Committee commends the State party on its hospitality and its efforts towards refugees and asylum seekers; however, it regrets that the bill on asylum has yet to be adopted. It is especially concerned about:

(a) The lack of registration and refugee status determination processes;

(b) The lack of a clear procedure to prevent and combat refoulement;

(c) The discrimination faced by refugees and asylum seekers in accessing basic social services, and their risk of arbitrary arrest, arbitrary detention and expulsion;

(d) The difficulty in registering the birth of children born in Mauritania to refugees or asylum seekers, especially in the Mbera camp;

(e) The fact that Mauritanian refugees repatriated from Senegal have not all received their identity and nationality documents, thereby increasing their risk of statelessness and that of their children (arts. 7, 9, 12 and 13).

#### **37. The State party should:**

(a) **Swiftly adopt the bill on asylum, ensuring that it is fully in line with the Covenant, so as to facilitate access to refugee status determination processes that guarantee fairness and transparency and to enable the establishment of procedures that ensure the principle of non-refoulement is strictly respected;**

(b) **Intensify its efforts to provide national identity documents to refugees in order to facilitate their access to education, health care and other social services and to protect them from arrest, detention and expulsion;**

(c) **Remove all obstacles to the birth registration of children born in Mauritania to refugees or asylum seekers, especially in Mbera camp;**

(d) **Step up its efforts to allow all refugees repatriated from Senegal, as well as their children, to obtain civil status documents;**



(e) **Consider acceding to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.**

**Independence of the judiciary and administration of justice**

38. The Committee takes note of the information provided by the State party. Nevertheless, it remains concerned that the independence of the judiciary is not sufficiently guaranteed and that the executive plays a significant role in the organization and management of the judicial branch. It is concerned by the inadequate steps taken to guarantee, in practice, security of tenure for judges. Moreover, it is concerned that the President of the Republic is the head of the Supreme Council of Justice, on which the Minister of Justice also sits, potentially leading to interference in judicial affairs, in particular in cases concerning violations of the Covenant by State agents (art. 14).

39. **The State party should uphold, in practice, the principle of the independence of the judiciary, as guaranteed under article 89 of the Constitution, and ensure that judges and public prosecutors are independently appointed on the basis of objective and transparent criteria that allow for candidates' qualifications to be assessed in terms of the required skills, competence and integrity. It should also guarantee the tenure and independence of judges and the impartiality of public prosecutors by protecting the work of the judiciary from any interference.**

**Freedom of conscience and religion**

40. The Committee remains concerned that the exercise of the freedom of conscience and religion is not formally guaranteed for Muslim Mauritians, for whom a change of religion is classified as apostasy and punishable by the death penalty (arts. 2, 6, 18 and 19).

41. **The State party should amend legislative provisions that violate freedom of thought, conscience and religion, and freedom of expression, so as to comply with the requirements of articles 18 and 19 of the Covenant. It should guarantee to all, without exception, including non-believers and those who change religion, full enjoyment of freedom of thought, conscience and religion. The crime of apostasy should be abolished.**

**Freedom of expression and protection of human rights defenders**

42. The Committee is concerned that a number of legal provisions set excessive content-based restrictions on speech, for instance provisions of the Act on the criminalization of discrimination, the Act on cybercrime, the Act on combating terrorism and the Act on freedom of the press, and that the vagueness of these provisions has a disproportionate impact on the implementation of article 19 of the Covenant. It is also concerned about a number of articles of the Criminal Code that continue to criminalize activities tied to the exercise of freedom of expression, such as apostasy, blasphemy and defamation. The Committee expresses its concern at claims that these criminal provisions are being used to impede the work of journalists and human rights defenders and to restrict their freedom of expression. It is further concerned at reports that human rights defenders have been intimidated, harassed or arbitrarily detained. The Committee cites the example of Mohamed Cheikh Ould Mkhaitir, recently released, who spent more than five years in detention for criticizing the use of Islam to justify racial discrimination and slavery. It fears that such acts will create a climate that stifles all criticism of violations of human rights, including those enshrined in the Covenant (arts. 2, 6, 7, 14, 18, 19, 21 and 22).

43. **The State party should:**

(a) **Amend the aforementioned Acts to align them with articles 18 and 19 of the Covenant;**

(b) **Refrain from intimidating, harassing, arresting, detaining and prosecuting human rights defenders, on the basis of loosely defined offences, for exercising their right to freedom of expression;**

(c) **Release unconditionally all human rights defenders who are being arbitrarily detained;**

(d) **Ensure that all human rights violations committed against human rights defenders are thoroughly and impartially investigated as quickly as possible, that those responsible are prosecuted and sentenced to penalties commensurate with the gravity of their acts and that the victims obtain redress.**

#### **Freedom of peaceful assembly and excessive use of force by State agents**

44. The Committee remains concerned at consistent reports of excessive use of force by law enforcement officials to break up demonstrations, causing, for example, the fatal shooting of Lamine Mangane. The Committee regrets the lack of information on the investigations launched in response to allegations of excessive use of force by law enforcement officials during public demonstrations, and on any prosecutions, convictions and sentences (arts. 7, 9, 10, 14, 19, 21 and 25).

45. **The State party should:**

(a) **Ensure that all allegations of excessive use of force and extrajudicial killings by State agents during demonstrations are investigated promptly, thoroughly and impartially, that those responsible are prosecuted and, if found guilty, are punished, and that the victims obtain redress;**

(b) **Ensure that legislative and regulatory provisions governing the use of force comply with international standards and ensure that law enforcement officials apply non-violent measures before any use of force when conducting demonstration control operations and that they respect the principles of legality, necessity, proportionality and accountability.**

#### **Freedom of association**

46. The Committee is concerned that non-governmental organizations and associations for the defence of human rights are required to obtain prior authorization and that some face administrative obstacles in doing so, which forces them to operate underground (arts. 9, 19, 21 and 22).

47. **The State party should review the bill on associations with a view to ensuring its compatibility with article 22 of the Covenant. It should also adopt a declaratory system for the registration of non-governmental organizations and associations for the defence of human rights, including those working to combat racial discrimination or slavery-like practices.**

### **D. Dissemination and follow-up**

48. **The State party should widely disseminate the Covenant, its second periodic report and the present concluding observations with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, and the general public. The State party should ensure that the report and the present concluding observations are translated into the official language of the State party.**

49. **In accordance with rule 75 (1), of the Committee's rules of procedure, the State party is requested to provide, by 26 July 2021, information on the implementation of the recommendations made by the Committee in paragraphs 11 (the fight against impunity and past human rights violations), 21 (harmful practices against women and girls) and 43 (freedom of expression and protection of human rights defenders).**

50. **The Committee requests the State party to submit its next periodic report by 26 July 2025 and to include in that report specific up-to-date information on the implementation of the recommendations made in the present concluding observations and of the Covenant as a whole. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The Committee**

**encourages all States to make use of the simplified reporting procedure. It invites the State party to indicate, within one year of receipt of the present concluding observations, whether it wishes to accept that procedure for the preparation of its next periodic report. The State party's replies to the list of issues prepared by the Committee under the simplified reporting procedure will constitute the next periodic report to be submitted under article 40 of the Covenant.**

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