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Overview of the State reviews carried out by the **UN Human Rights Committee**

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Foreword

The Centre for Civil and Political Rights is delighted to introduce this overview of the 2022 Concluding Observations adopted by the United Nations Human Rights Committee.

In 2022, the Committee held the 134th, 135th and 136th sessions. In these sessions, the Committee reviewed 17 State reports. Of those, this publication explores twelve countries: Bolivia, Cambodia, China (Hong Kong), China (Macao), Ethiopia, Georgia, Iraq, Ireland, Israel, Luxembourg, Qatar and Uruguay. Many themes are recurring in several State reviews: in particular, the topics of shrinking civic space and limits on fundamental freedoms, as well as women's rights, are prevalent in several of the countries that were examined.

This publication was drafted by Poornavi Ravindra and Suparerk Wesarat, students of the Geneva Academy on International Humanitarian Law and Human Rights, class of 2022-2023, and interns at the Centre. They examined the Concluding Observations, carried out research on the human rights situation in each of the countries, and analysed the remaining challenges in the relevant countries. They produced the articles included in this publication under the supervision of the Centre. I would like to thank them for their dedication.

The purpose of this research is to make the work of the Human Rights Committee more visible and accessible to all individuals involved in the promotion and protection of civil and political rights.

Làzarie Eckeloo

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Abbreviations

CPP	Cambodian People's Party
CET	Centre for Equal Treatment
CRC	Committee on the Rights of the Child
FGM	Female Genital Mutilation
FIFA	Fédération Internationale de football association
GIE	Group of Independent Experts
ICCPR	International Covenant on Civil and Political Rights
ICRC	International Committee of the Red Cross
IDMC	Internal Displacement Monitoring Centre
IDP	Internal Displaced Person
HR Committee	Human Rights Committee
NGO	Non-governmental organisation
NHRI	National Human Rights Institution
NSL	National Security Law
OPT	Occupied Palestinian Territory
SAR	Special Administrative Region
TPLF	Tigray People's Liberation Front
UN	United Nations
VOD	Voice of Democracy



Bolivia: Independent Judiciary is the need of the hour

After successfully ousting the military regime in 1982, Bolivia transitioned into a plurinational state with a constitution that established itself as a multiparty republic with an elected president and a bicameral legislature. Following its ratification to the ICCPR, in its bid to legally respect, protect and fulfil rights guaranteed under the treaty, Bolivia has taken proactive steps in implementing its commitments. However, consistent political interference, harsh realities of tyranny against the human rights defenders, the post-electoral clashes of 2019, and the impunity that followed the military regime highlight the waning judicial independence that stand stark in contrast to the positive strides made. In this background, the Plurinational State of Bolivia underwent the [fourth cycle of periodic review](#) by the HR Committee on 8-9th of March 2022.

The crisis of impunity

In 2016, the State of Bolivia set up a Truth Commission to look into the serious human rights violations committed during the [Military regime](#) between 1964 and 1982. A reparations agreement between more than 1700 victims of dictatorship and the present government was signed in 2022.¹ However, the HR Committee highlights concerns over the delay in awarding compensation to the victims and the procedure in dealing with cases of enforced disappearances. The crisis of impunity persists as thousands of victims still await government recognition and reparation.

Adding to this is the ruthless repression of the citizens during the post-electoral political crisis of 2017. The Group of Independent Experts [Report](#), which was specifically created by the Inter-American Commission on Human Rights to carry out a parallel investigation of human rights violations during the crisis, clearly indicates instances of torture, illegal detentions and flaws in investigation of abuses by the police forces. The report highlights that no individual has been held accountable for the excesses occasioned during the protests. On this account, it is crucial for Bolivia to strengthen the judiciary to be fully competent, impartial and independent to tackle this persistent era of impunity. Further, the implementation of the reparations programme which is underway should be one that is fair, transparent and meets international standards.

Gender equality remains a challenge

Bolivia has made significant successes in the area of gender equality with an increase in representation in the decision-making positions at the legislature and private sectors. However, this achievement stands bleak in the light of rising cases of political and sexual harassment, and violence against women, sadly with a very poor conviction rate. According to a [survey](#), 59% of women have faced violence, threats, hostility or political harassment within their municipality. Despite the 2017 Law on a multi-sectoral plan to promote Women's Rights across sectors, their woes continue to exist. [Amnesty International](#) highlights that in the face of the rising cases of clandestine abortions, endangering the lives of many women and adolescent girls, the need to revisit the grounds for legal abortion outside cases involving rape/incest or risk to life and health of the mother is imminent. The HR Committee recommends for intensified efforts to accelerate investigations, to come up with an effective and elaborate framework to ensure accountability and

¹ <https://www.amnesty.org/en/location/americas/south-america/bolivia/report-bolivia/>

award compensation to the victims of gender-based violence and to specifically ensure provision of appropriate sexual and reproductive health services.

Repeated abuses of freedom and liberty

The post electoral crisis of 2019 per the [GIE report](#) indicated rising cases of brutal harassment and intimidation against human rights defenders, arbitrary detention of journalists, use of unwarranted force by police personnel, specifically cases involving acts of torture and ill-treatment committed by police officers in prisons coupled with the lack of an effective investigation mechanism. Strikingly, the fact that defamation, slander and insult continue to be categorised as criminal offences per law only deter people from fully exercising the freedoms of expression, association and access to information. Therefore, the HR Committee recommends that the State double its efforts in the prevention of harassment and intimidation through intensely training and sensitising law enforcement personnel involved in the maintenance of peace and order in the context of protests. It is also crucial for Bolivia to ensure a timely and effective protection, independent and impartial investigation, followed by appropriate punishment and reparations for the victims to better serve the ends of justice. It endorses the State to explore the option of criminalizing defamation and slander in only the most serious cases.

Fading rights of vulnerable groups

The rights of the [migrants, asylum-seekers and refugees](#) seem to be well grounded in the light of the commendable efforts taken towards streamlining training of border officials and acceleration in processing requests for international protection effectively. However, as [Human Rights Watch](#) highlights, the rights of [the indigenous and aboriginal campesino nationals](#) are outrightly compromised, despite the express right to prior consultation on development projects per the 2009 Constitution. The indigenous communities are not consulted and are in fact, side-lined before issuing mining permit licenses for commercial exploitation. This has left them exposed to threats of mercury pollution and loss of environment and livelihood.

While at the outset, the enactment of a law on gender identity is welcoming, concerns over violence against [LGBTQI persons](#) continue to be present. [Human Rights Watch](#) highlights the confusion over registering a gay couple's relationship as "free union" under the national civil registry per the court order but denying the same right to a lesbian couple as unsettling. It is pertinent to wait for the Constitutional Court to deliver its verdict, where the appeal now stands pending. The HR Committee suggests stepping up public education, creating awareness and training public servants to ensure tolerance and respect for diversity in addition to ensuring effective and impartial investigation allowing for everyone to fully and freely exercise their rights.

A hope for robust and unequivocal commitment to truth and justice for human rights violations by the current government in power demands utmost commitment to due process and judicial independence. Hopefully, the government will make progress before the next session of the State of Bolivia to appraise the (de)generation of state of affairs.

Watch the dialogue of the Committee [here](#). Please refer [here](#) for all the recommendations given by the Committee in the Concluding observations.



Cambodia must walk the talk on fundamental freedoms

On 9 – 11 March 2022, Cambodia was reviewed for the third time by the HR Committee on its implementation of the ICCPR. During the review, the Cambodian delegation began the conversation by expressing its desire to participate in the dialogue, adding that human rights promotion and protection were central to Cambodian national and foreign policy. The delegation emphasized steps taken to combat human rights violations, such as an increased budget for legal aid to combat violence against women, plans to review the domestic violence law, which had been delayed due to the pandemic, and public awareness campaigns on LGBTQI rights as a step toward homosexual marriage recognition and registration under civil law.

In contrast, the Committee probed the delegation across three days with questions regarding fundamental freedoms and demands for further information on particular issues. It calls on Cambodia to *walk the talk* to promote and protect its people's fundamental freedoms.

Excessive use of laws shrinking civic space

Civic space is shrinking and democracy is at risk in Cambodia. The Committee is worried about the excessive powers granted to the Government by the Law on the Management of the Nation in the State of Emergency on the Spread of COVID-19. During the reporting period, the [OHCHR identified at least 14 incidences of what seems to be arbitrary arrest and incarceration of 18 opposition party members](#), many of whom are linked with the Cambodia National Rescue Party and the Candlelight Party. Ten men and eight women have been charged with various offences, including plotting or committing treason, incitement, lèse-majesté, fabricating documents, using forged documents, illegal fishing, and obstructing the implementation of measures introduced to combat the disease. The Committee expressed deep disappointment with the lack of debate and participation with civil society organizations prior to the passage of these measures.

Suppression of fundamental freedom continues

According to Human Rights Watch's [report](#), Prime Minister Hun Sen employed the COVID-19 epidemic to further restrict free speech, privacy rights, media freedoms, peaceful assembly, and civic space in advance of the commune and national elections in 2022. In July of 2023, the Government plans to hold general elections despite the oppressive climate. After the politicized courts in Cambodia disbanded the largest opposition party in advance of the 2018 elections, Hun Sen, who has been in power since 1985, now controls one-party rule in parliament. Over a hundred members of the opposition and dozens of human rights advocates have been subjected to politically motivated mass trials in an effort to maintain authoritarian control and stifle dissent via the use of draconian legislation, extrajudicial murders, arbitrary arrests, and judicial harassment. More than fifty political prisoners are being held in Cambodia.

Corruption

According to the Committee, corruption in land deals, illegal logging, and contracts for development projects, among other areas, should be thoroughly investigated, with the perpetrators brought to justice and appropriately punished and victims fully compensated. After open, transparent, and meaningful consultations with civil society and other relevant stakeholders, the State party should adopt the draft law on reporting persons and the draft law on witnesses, experts, and victims to ensure adequate protection for whistle-blowers, witnesses, and victims of corruption. Corruption remains a significant challenge for Cambodia, and continued efforts are needed to address the issue and promote transparency, accountability, and good governance. In January 2023, Transparency International released its [2022 Corruption Perceptions Index \(CPI\)](#), ranking Cambodia 150th out of 180 countries. Cambodia scored 24 out of 100. The score and ranking improved from last year, but the score is still low, indicating that more work is needed to fight corruption in the country.

Freedom of expression

The Committee calls on the state party to immediately ensure its people's freedom of expression in accordance with the Covenant and [General Comment No. 34](#). The State should avoid prosecuting and imprisoning journalists, human rights defenders, and other civil society actors to discourage free speech. It should also prevent harassment, intimidation, and arbitrary arrests of journalists, activists, and human rights defenders who criticize government officials or policies, decriminalize defamation and align the Law on Telecommunication with the Covenant.

Cambodia restricts free speech and crackdowns on independent media and civil society continue. Journalists, human rights activists, and opposition politicians are harassed and arrested. These restrictions lower Cambodia's press freedom and free expression rankings. According to Reporters Without Borders, [the country is ranked 142nd out of 180 countries in press freedom](#). Independent media outlets and civil society organizations still advocate for greater freedom of expression in the country. In the recent incident, [Prime Minister Hun Sen's order to revoke the licence of Voice of Democracy \(VOD\)](#), one of the last remaining independent media outlets in Cambodia. Ninety-three organizations have called for the immediate restoration of VOD's operating license and the protection of press freedom in Cambodia. The closure of VOD highlights the ongoing challenges faced by independent media outlets in Cambodia, which are often subjected to harassment, intimidation, and censorship by the Government.

Political participation

The Committee calls on Cambodia to stop intimidating, arresting, and assaulting opposition party members and supporters, conduct thorough investigations into all allegations of harassment, intimidation, arbitrary arrest, and violence, stop mass opposition trials, allow everyone to exercise their electoral rights, guarantee pluralistic political debate, and strengthen the judicial and electoral systems.

Political participation in Cambodia is still limited, with the ruling party, the Cambodian People's Party (CPP), dominating the political landscape. The CPP has held power since 1979, and there is limited space for opposition parties to operate. Civil society organizations and activists face significant challenges in advocating for political reform and human rights in Cambodia. They are often subject to harassment, surveillance, and legal restrictions that limit their ability to operate freely.

The Committee calls on the state party to enforce and implement the [recommendations](#) of the UN Human Rights Committee in line with Cambodia's obligations under the ICCPR. You can follow our series on the country at this [link](#).



China (Hong Kong): Police brutality and a problematic national security law

The HR Committee reviewed the [fourth periodic report](#) of [China \(Hong Kong\)](#) (hereafter Hong Kong) on 7, 8, and 12 of July, 2022, in a hybrid format. In a heated exchange between the HR Committee and Hong Kong's delegation, the [National Security Law](#) (NSL) was a contentious topic that took center stage. The Committee raised concerns about the law's impact on the increase of arrests and detentions, the right to fair trial, and freedom from torture. However, the Hong Kong delegation claimed that the NSL was necessary to restore peace and stability to the Special Administrative Region (SAR), which had been thrown into chaos during the violent protests of June 2019.

During the dialogue, the Hong Kong delegation defended the police response to the protests and stated that not a single protester was killed by the authorities. The Committee pressed further, questioning the accuracy of data provided by the State Party regarding protection against torture and bringing up the issue of alleged suicides that took place during the protests.

The Committee also addressed concerns about [freedom of expression and protection of civil society organizations](#). They questioned the Hong Kong delegation on the crackdown of journalists critical of the police response and the government, which had led to imprisonment and the loss of jobs for over 1,000 journalists. The Committee also raised concerns about the nearly 100 civil society organizations that had to dissolve or leave Hong Kong since the implementation of the NSL, with some still receiving governmental letters demanding the takedown of their websites. Despite Hong Kong's claims that the NSL has restored peace and stability, human rights NGOs like [Human Rights Watch](#), [International Human Rights Service](#), and [Amnesty International](#) have condemned the law's impact on the right to fair trial, freedom from torture, and freedom of expression.

The collaboration between international human rights organizations and local Hong Kong civil society organisations and human rights defenders highlights the widespread concerns regarding the impact of the NSL on fundamental rights and freedoms in the region.

Throughout the dialogue, tensions remained high as the Hong Kong delegation insisted that ICCPR rights are not absolute and subject to limitations to protect national security and public order. The Committee, on the other hand, expressed scepticism about the NSL, calling it a "situation of creeping jurisdiction" by the Central People's Government that overstepped local legislation raising questions about the high degree of autonomy of the SAR. The Committee also repeatedly asked the Hong Kong delegation whether the civil society organizations that had engaged with them would face reprisals afterward.

Recommendations of the Human Rights Committee

The [Concluding Observations](#) on Hong Kong's fourth periodic report were released on 27 July 2022. The State party is requested to provide, by 28 July 2025, information on the implementation of the following recommendations:

The Committee recommended that China (Hong Kong) take concrete steps to repeal the current NSL and, in the meantime, refrain from applying it. The legislative process for enacting a new national security law should be inclusive and transparent, allowing for the free and meaningful

participation of civil society and the public. The concerns expressed by international human rights mechanisms, including the HR Committee, should be addressed to ensure that the new legislation fully conforms with the Covenant.

Hong Kong should also stop applying the NSL and sedition legislation against journalists, politicians, academics, human rights defenders, and members of the public who are exercising their [right to freedom of expression](#). All cases against journalists and individuals charged for exercising their right to freedom of expression should be discontinued, and adequate compensation should be provided. The editorial independence of all media outlets should be ensured, and journalists should be protected from intimidation and attacks. A new law relating to disinformation should be enacted in a transparent and participatory manner, ensuring full compliance with the Covenant.

[With regard to freedom of association](#), Hong Kong should refrain from taking any action that is likely to curb the exercise of this right and ensure a safe environment for the activities of civil society organizations, including trade unions and student unions. Restrictive measures imposed on trade unions should be removed, and all cases against trade unionists charged in connection with their union activities should be discontinued. The Societies Ordinance and other relevant legislation should be reviewed to remove procedural and substantive obstacles to register and run a society and bring them in line with Article 22 of the Covenant. Members and representatives of civil society organizations should not be charged under the National Security Law or victimized in any other form as a result of their engagement with the Committee or other international human rights mechanisms, including other treaty bodies, the Human Rights Council, the Special Procedures, the Universal Periodic Review, and international NGOs.

The Human Rights Committee calls on China (Hong Kong) to strictly implement the [recommendations](#) made. Watch the dialogue of the Committee [here](#). You can read more articles on the country at this [link](#).



Privacy infringements, crackdown of freedom of expression, and exploitation of migrant workers in China (Macao)

The HR Committee's review of China's (Macao) (hereafter Macao) second periodic report was a harrowing reminder of the country's rampant human rights violations. The dialogue, which took place in a hybrid format on 13, 14, and 15 July 2022, focused on the National Security Law (NSL), criminalization of defamation, and the rights of migrant workers, refugees, and victims of human trafficking. Despite the delegation of Macao highlighting their legal system's strengthening with laws on preventing and combating domestic violence, protecting children, and preventing sexual harassment, Macao's track record on human rights remains bleak.

The Committee raised concerns about the lack of a comprehensive [anti-discrimination law](#) in Macao, despite cultural diversity being a keystone of its lifestyle. They questioned the delegation on the freedom of expression and the situation of foreign journalists in the Special Administrative Region (SAR), citing the revocation of licenses of journalists from prestigious media outlets such as the Washington Post, Wall Street Journal, and New York Times.

Moreover, the [right to privacy](#) was a critical issue during the dialogue, with the Committee raising concerns about the surveillance system Sky Eye, CCTV, and facial recognition technology used by police authorities. The delegation's response was vague, claiming that facial recognition technology was used in line with internal procedures, and that wiretapping and eavesdropping always took place with legal permits from a judge.

Recommendations of the Human Rights Committee

The Committee's recommendations made it clear that Macao needs to enhance the protection of migrant (domestic) workers and ensure that its regulations governing data retention and access, surveillance, and interception activities comply with the Covenant's principles of legality, proportionality, and necessity. Macao must also develop clear and publicly available guidelines to ensure that the use of recording devices by law enforcement officials during assemblies is consistent with international standards on privacy and does not have a chilling effect on participation in assemblies.

Migrant workers

Macao should enhance the protection of migrant workers, especially migrant domestic workers, provide effective complaint mechanisms for reporting abuse and exploitation, including in relation to the excessive agency fees, and raise awareness about such mechanisms among migrant workers. It should also ensure that all cases of exploitation and abuse are thoroughly investigated and that perpetrators are prosecuted and, if found guilty, punished with appropriate sanctions and that victims have access to effective remedies.

Right to privacy

Macao should ensure that its regulations governing data, surveillance, including mass surveillance through the public CCTV system, and interception activities, including the draft wiretapping law, are in conformity with the Covenant and ensure strict adherence to the principles of legality, proportionality and necessity. It should establish independent oversight mechanisms over the surveillance and interception activities to prevent abuses and ensure that any interference with the right to privacy requires prior authorization from a court, that all reports of abuse are thoroughly investigated, that such investigations, where warranted, lead to appropriate sanctions, and that victims have access to effective remedies.

Right of peaceful assembly

China (Macao) should take measures to guarantee the right to peaceful assembly in line with [General Comment no. 37](#) (2020) and the Covenant itself. This includes bringing all laws and practices in line with those sources, and ensuring that any restrictions, including under the Law No. 2/93/M, the Criminal Code and other public health-related regulations, comply with the strict requirements in the Covenant. The State should also make sure that definitions in those laws are clear and strictly interpreted in order to prevent arbitrary interpretations that unduly restrict the right to freedom of assembly. Thirdly, it is important that the right to freedom of assembly is guaranteed for all persons within the jurisdiction of China (Macao), regardless of their nationality or residency status. Lastly, the State should develop and implement clear and publicly available guidelines to ensure that the use of recording devices by law enforcement officials during assemblies, including body-worn cameras, are consistent with international standards on privacy and do not have a chilling effect on participation in assemblies.

The State party is requested to provide an update, by 28 July 2025. The Committee requests China (Macao) to submit its next periodic report by 27 July 2028. Please refer [here](#) for all the recommendations given by the Committee in the Concluding Observations.



Concerns over grave human rights violations and war crimes in Tigray, Ethiopia

The review of Ethiopia's second periodic report was conducted by the HR Committee during its 136th session. Prior to the review, in September 2022, a preparatory mission was undertaken by the Centre in Ethiopia. The mission aimed to inform civil society organizations, facilitate their engagement, and assist in the drafting of reports for the Committee's session.

Ethiopia underwent a review by the HR Committee on 11-12 October 2022, where the committee expressed deep concerns about the occurrence of severe human rights violations and war crimes in the ongoing armed conflict in the Tigray region.

During the opening statement, the Ethiopian state delegation acknowledged the challenging circumstances faced by the country, including the effects of war and the transition from vicious wars during a former ruling political party. They emphasized the significant suffering caused by the armed conflict in Tigray, which resumed following the violation of a ceasefire agreement by the Tigray People's Liberation Front (TPLF) in 2021. The delegation asserted the government's commitment to addressing the violations of human rights and expressed a willingness to hold accountable those responsible for such grave violations, while emphasizing the importance of preserving human dignity.

The Tigray conflict dominated the discussions, shaping the overall context of the dialogue. Among other things, the HR Committee addressed sexual and gender-based violence, high numbers of arbitrary arrests and detention conditions, escalating ethnic tensions and conflicts across various regions of Ethiopia, and extrajudicial killings in the country as key concerns during the conflict.

The issue of violence against women was raised by the Committee, including issues such as marital rape, polygamous and early marriages, and female genital mutilation (FGM). The Committee inquired about the measures taken to ensure the protection of the civilian population from all forms of sexual and gender-based violence by all parties involved in the conflict.

In response, the Ethiopian delegation stated that polygamy and FGM practices were criminalized in the country. They outlined a strategy focused on raising public awareness and education to change attitudes, including promoting activities aimed at disseminating information on the illegality and harmful effects of these practices. Nonetheless, the survey indicated only 5 per cent of decline in the prevalence of FGM over 11 years from 2005-2016.

The Committee expressed concern over the high number of **arbitrary arrests in Ethiopia, including human rights defenders and journalists**, totalling at least 11,000 between November 2021 and February 2022. Inquiring about the conditions of detainees, the Committee asked about ensuring unrestricted access for the International Committee of the Red Cross (ICRC) and local NGOs to prisons to assess detainee conditions.

The Ethiopian delegation responded by asserting that pretrial detention was the exception rather than the norm in Ethiopia. They cited various measures taken to improve the treatment of detainees, including expanding detention facilities, providing access to healthcare and essential services, and conducting capacity-building training for prison administrators. Additionally, the

delegation stated that human rights institutions had unlimited access to visit detainees in these facilities. This is in contrast with reports from civil society organizations, which claim that they still face limitations and require prior authorizations, hindering their access.

The Committee also raised concerns about [ethnic conflicts and the protection of minorities](#). Widespread ethnic-based killings by security forces and armed groups have been reported in Ethiopia since 2018, with the Committee noting the scale or severity of the violence, affecting individuals across all age groups. The Committee inquired about measures being taken to address ethnic tensions and conflicts and to protect internally displaced persons (IDPs).

The Human Rights Committee's [Concluding Observations](#) on Ethiopia's second periodic report were released on November 3, 2022. The committee requested that the state party provide information on the implementation of the recommendations by 2025.



Georgia: deteriorating free speech and persecutions

The Republic of Georgia attained independence after the dissolution of the Soviet Union in 1991. This Caucasus nation has since been influenced by various cultures: Greeks, Persians, Romans, Byzantines, Arabs, Mongols, Ottoman Turks and Russians have contributed to the cultural milieu in Georgia. In the recent past, progressive steps on juvenile justice, rights of the child and of persons with disabilities are welcome advancements. A significant part of the population has its sight on being a part of the European Union. On the 5-6 July, 2022 Georgia underwent its [fifth cycle of Periodic Review](#) on the implementation of the ICCPR.

Effective application of the ICCPR is crucial

Georgia has attempted to ensure basic human rights to those residing in the region of Abkhazia and Tskhinvali region of South Ossetia even though they do not fall under the effective control of the State of Georgia. According to [Amnesty International](#), the human rights records in these two breakaway regions have continued to deteriorate despite efforts. In particular, allegations of severe curtailment of the right to free speech and expression, torture and other ill-treatment and impunity for past abuses, still persist. Investigations into the custodial deaths and torture remain without effective investigation. Difficulties encountered by individuals in these areas also include infringements of their right to life, liberty and security and freedom of movement. In the areas that are under Georgia's effective control, the State has the obligation to implement the provisions of the ICCPR.

A deplorable state of affairs on domestic violence and gender equality

Georgia ratified Istanbul Convention in early 2017, which aims to tackle violence and domestic violence against women and address its root causes. In aligning its commitments under the Convention, legislative measures criminalizing new crimes such as forced marriage, female genital mutilation and forced sterilization are introduced. However, this has not fully addressed the gender-based violence paradigm in Georgia. According to [GREVIO](#) Report, an independent monitoring body under said Convention, wider societal issues with gender norms is a prime obstacle to achieving gender equality in Georgia. Lack of effective implementation and proper responses on following up complaints raised by victims are among other major concerns. In the same report, lack of comprehensive medical and psychological support, institutional shelters for victims of rape and domestic violence is also highlighted.

According to [Human Rights Watch](#), people belonging to the LGBTIQ community are severely marginalized in Georgia. Individuals are curtailed to exercise their rights to peacefully assemble and seek fair treatment. Fear of disclosing identity, re-victimization and a lack of trust with law enforcement machinery has led to major underreporting of crimes. Additionally, poor awareness of legal recourse, remedies available and low access to justice has also resulted in underreporting.² Protection of victims and effective mechanisms to enforce the law are paramount.

² A/HRC/41/45/Add.1

Excessive use of force and torture in the name of policing and investigation

Cases of complaints of ill-treatment by prison staff and police are [widespread](#). Impunity for abuses by law enforcement is prevalent in Georgian society which has drastically diluted the faith of its citizens in its own law enforcement agencies. The police use tear-gas, detain individuals on charges of disobedience disproportionately, to suppress people's rights to engage in peaceful protests or assembly. In January 2022, the principal body, the State Inspector's Service tasked with investigating human rights violations by the police was abolished and replaced with two new agencies, the Special Investigation Service and Personal Data Protection Service. [Amnesty International](#) has criticized the move, leading to less effective, transparent and independent agencies which will negatively impact their ability to engage in impartial and fair investigations. Moreover, the supervisory role of the Prosecutor's office over investigations on cases of ill-treatment and custodial deaths has undermined the independence of these bodies.

Administrative detentions have crippled rule of law

Georgia's administrative offenses system operates on the 1984 Soviet Code of Administrative Offences. This code is outdated in comparison to international standards and not compatible with the democratic fabric of Georgia. In April 2021, the rushed amendments to the Code toughened penalties for petty hooliganism and police disobedience. It also doubled and tripled fines up to US\$1300 and increased administrative detention from 7 to 15 days. According to [Human Rights Watch](#), Georgian human rights groups have criticized the amendments as enabling the police agencies to use excessive and repressive policing mechanisms and sanctions. Notwithstanding the delegation's contention that the code is well within the framework of rule of law, the Committee has recommended that conscious efforts are needed to bring clarity to the code and in its implementation.

Repressions of rights to privacy, opinion and of expression are stark

The recent 'foreign agents' bill has been widely discussed among civil society groups and media. NGOs, print, online and broadcast media are required to register as 'agents of foreign influence' with the Ministry of Justice if they receive 20 percent or more of their annual revenue either as financial support or in-kind considerations from a foreign power. This unnecessarily fades out transparency and raises instances of surveillance and puts these organizations at risk of infringement of privacy. The prosecution of individuals who were critical of the State party and its governance and unlawful confinement of individuals for expressing their views are highly condemnable. It defeats the freedom of expression and subjugates the individual to the State's ideology. The HR Committee has called upon the State party to thoroughly investigate all cases of such transgressions. The State Party should take more stringent measures to implement and ensure such lapses and intrusions no longer occur.

It is now up to Georgia to implement these recommendations and take necessary measures to improve the human rights situation in the country. It is also crucial for Georgia to act swiftly, in the right direction if its aspiration to become a part of the European Union will see the light of day.

Watch the dialogue of the Committee [here](#). Please refer [here](#) for all the recommendations given by the Committee in the Concluding observations.



Re-examining a challenging situation: the human rights landscape in Iraq

Iraq has a long and complicated history when it comes to human rights. Decades of conflict, political instability, and social upheaval have left the country with a human rights landscape that is riddled with challenges. On 7-8 March 2022, the HR Committee reviewed Iraq's sixth Periodic Report on ICCPR implementation, which provided an opportunity to re-examine the human rights framework in the country.

One of the positive developments noted in the review was the establishment of the [ISIL Crime Investigation Unit](#). The unit is tasked with investigating genocide, and its creation is a significant step forward in promoting human rights in Iraq. However, the review also highlighted several areas of concern, including the death penalty, the rights of internally displaced persons, counterterrorism measures, enforced disappearances, and arbitrary detentions.

Perhaps the most troubling aspect of the review was Iraq's stance on the [Second Optional Protocol](#) to the ICCPR, which aims to abolish the [death penalty](#). The Iraqi Delegation stated that Iraq had no intention of adhering to the protocol, arguing that the country already applies the safeguards envisioned by international human rights law pertaining to the death penalty. While Iraq's decision not to adhere to the Second Optional Protocol may not be inherently problematic, the real concern lies in the failure to apply the necessary safeguards and ensure fair trial rights within the country.

Internally displaced persons (IDPs) and gender-based violence

The rights of IDPs and violence against internally displaced women were significant topics discussed during the review. In response to these concerns, the State party claimed that it had not received any reports of violence against IDPs. The Iraqi delegation did note that the country had implemented a national plan on women, peace, and security, making it the first Arab country to do so. Additionally, the delegation informed the Committee about a committee within the Ministry of Interior that is working on the protection of the rights of displaced children and providing them with essential services.

The issue of gender-based violence, including the practice of female genital mutilation (FGM), was also addressed by the Iraqi delegation. They stated that FGM is considered by law as one of the worst forms of violence against women and that awareness campaigns against FGM were being conducted in Iraqi Kurdistan. The [Internal Displacement Monitoring Centre \(IDMC\)](#) has reported that Iraq is facing a serious humanitarian crisis due to conflict and violence. In 2021, 57,000 people were displaced as a result of these factors. Furthermore, the number of IDPs returning to their homes has significantly decreased, dropping from an average of around 500,000 per year between 2018 and 2020 to just 121,000 in 2021.

Counterterrorism and the death penalty

Counterterrorism measures have been a topic of discussion in Iraq, with the international community raising concerns over the application of the death penalty and due process of law. The Committee highlighted several trials that have breached the due process of law in the context of

terrorism cases, with accused persons lacking legal representation and adequate time to prepare their defence. Moreover, the convictions and proof of guilt have been disputed, with confessions obtained under torture being used as evidence. The Committee has asked for protection mechanisms for foreign nationals who face prosecution and raised concerns about the broad definition of terrorism in Iraqi laws.

In response, the State delegation said that their definition of terrorism complies with international standards and does not extend to acts of protesters. However, the Anti-terrorism Law covers damage to property, and terrorism is considered a most severe crime that can be sanctioned with the death penalty. The Committee showed its concern and requested disaggregated data on cases of the death penalty and pardons. The State Party replied that all persons sentenced to the death penalty in 2021 had their sentences changed to life imprisonment after appeal and added that the accused are provided legal protection during investigation, trial, and imprisonment.

However, the content of said protection was not explained during the discussion. This lack of clarity on legal protection raises concerns about the due process of law and the protection of human rights. [Amnesty International](#) and [Human Rights Watch](#) have previously criticized the application of the death penalty in Iraq, citing concerns about the fairness of trials and the use of torture to extract confessions. The lack of transparency in the legal process and the vague definition of terrorism in Iraqi laws further add to these concerns.

The recommendations by the UN Human Rights Committee

The Committee encourages Iraq to align its [anti-terrorism legislation](#) with international human rights standards, particularly by defining terrorism more precisely, limiting the use of anonymous statements, ensuring full victim and witness participation in trials, and ensuring the full observance of fair trial guarantees. The Committee also urges Iraq to refrain from the mandatory imposition of the death penalty for offences under the Counterterrorism Act.

Iraq is also urged to investigate and prosecute all reported cases of [past human rights violations](#) in a timely manner, including allegations of enforced disappearances, arbitrary detention, torture, and other violence. The Committee calls for perpetrators to be punished and for victims or members of their families to receive full reparation.

Additionally, the Committee recommends that Iraq take necessary measures to ensure the swift adoption of the bill on the protection of persons from enforced disappearance.

To prevent [torture and ill-treatment](#), Iraq is urged to take the necessary steps to expedite the adoption of the anti-torture bill, ensuring at the same time that its definition of torture is fully in line with the Covenant. It should provide training programs for police and the judiciary, including the prosecution and penitentiary staff, as well as awareness-raising programs for detainees. Iraq is urged to ensure that all such allegations are promptly, independently and thoroughly investigated, that perpetrators are brought to justice and adequately sanctioned and that victims receive full reparation. Confessions obtained under torture should not be allowed in courts, and the burden of proving that the confession was made voluntarily falls on the prosecution. Finally, the Committee calls for unannounced visits to prisons and detention centres.

The [Concluding Observations](#), released on 30 March 2022, outline several recommendations that the State party should implement to ensure compliance with international human rights standards.

It is now up to Iraq to implement these recommendations and take the necessary measures to address the human rights situation in the country.

Re-examining the human rights framework in Ireland: A case for introspection

Republic of Ireland, situated in the North-Western part of Europe has evidence of human settlements eons ago. It has had its share of invasions from the Celts, Vikings, Normans and British. It was colonized by the English and after a long struggle for independence, it became an independent State, in 1921. Conflict between religious groups, political instability and social upheaval has left the country with challenges. In this background, the HR Committee reviewed Ireland's [fifth Periodic Report](#) on the implementation of the ICCPR on the 4-5th of July, 2022.

Ireland is bound to implement ICCPR within its national law

Ireland has not incorporated the ICCPR within its national legal framework despite specific recommendations to do so in the previous review by the HR Committee.³ Ireland continues to hold reservations on Article 10(1) of the Covenant on treating persons deprived of their liberty with humanity and respect and Article 20(1) which prohibits any propaganda for war by law. Though steps have been taken towards the direct application of the European Convention on Human Rights, Ireland is required to accord similar respect to obligations arising under the ICCPR and take all steps for its application at the domestic level. The reservations to Article 10(1) and 20(1) require reconsideration, according to the Committee.

Impunity for past abuses should be addressed

'Mother and baby homes' were institutional homes providing facilities for unmarried mothers to give birth between 1920s and 1990s. They were funded and operated by religious orders, and stigmatized bearing children outside marriage. Following [reports](#) in 2014 on mass graves of hundreds of babies and children, alleged illegal adoption practices, high child mortality rates, denial of basic medical care to women and vaccine trials on children without consent in these homes, a Commission of Inquiry was set up to examine these past abuses. However, [Amnesty International](#) stated that the mandate of the Commission of inquiry is narrowly defined, creating an aura of impunity for past abuses. The Commission was not adequately permitted to investigate past atrocities, by allowing access to reparations only in the event of forgoing legal processes it has perpetuated non-accountability. The mandate of the Commission also leaves out the inquiries into torture and other ill-treatment of women and girls in Magdalene Laundries, which leaves gaps in effectively addressing historical abuses of similar nature. This has created serious barriers in exercising the right to truth, justice and reparations to women and girls who have historically been subjected to inhuman and degrading treatment in these institutions. The HR Committee recommended to the State of Ireland to act on these shortcomings and to put in place a proper and effective redressal mechanism for past abuses.

Limited access to abortion needs to be revisited

Under Irish law, abortion is conditional on meeting vague thresholds created by use of words such as 'serious harm to women's health' and the requirement of a three day mandatory wait

³ [CCPR/C/IRL/CO/4](#), para. 5;

period before termination of pregnancy even in statutorily permissible cases. Additionally, it is only after express certification by two medical practitioners to the effect that there are fatal fetal abnormalities that might cause death within 28 days after birth, wherein access to abortion is allowed outside the legally permitted cases. On one hand, this high level of specificity in a law is extremely constricted and on the other, this may lead to lack of access to critical medical services for any situation falling short of this legally set threshold. The criminalization of health professionals for performing procedures outside the narrowly defined lawful circumstances is also a matter of concern. According to State [reports](#), women and girls travel abroad to get an abortion and requisite medical care. Particularly, people from rural and marginalized communities are affected the most, as they cannot always afford to seek medical care abroad. It is crucial for these hindering conditions to be revisited at the earliest to match international standards.

Criminalizing sex-workers has facilitated their abuse

In 2017, a law on protection of victims of human trafficking and sex workers from exploitation was enacted. Unfortunately, instead of benefitting the victims, it has instead facilitated their abuse. Amnesty International, in its [report](#), highlights how a law that was designed to protect victims from trafficking has instead subjected them to higher risk of abuse and violence, including rape and physical attacks. In attempts to avoid the police, sex workers are exposing themselves to substantial risks to their life and safety. The social stigma towards the profession has also affected their chances at leading normal life, finding housing or other gainful employment. The lack of trust in the Gardaí, i.e., the State Police force to deal with cases of harassment or abuse has also left them with no means to access justice. The Irish law decriminalizing sex work in the name of regulating trafficking is currently under review. It is pertinent for the State of Ireland to reconsider the recommendations of the HR Committee in ensuring there is no further facilitation of structural violence by prioritizing consultation with the marginalized group before further amendments.

The HR Committee's Concluding Observations call for the State party to take cognizance and act on [these recommendations](#). Ireland is due for its next review in 2030 which provides the State with ample time to re-examine, introspect and work towards bettering the human rights landscape of its country and for its people.

Watch the dialogue of the Committee [here](#).



Israel denies applicability of the ICCPR in the Occupied Palestinian Territory

Historically Israel has been home to many conflicts owing to religious and ethnic tension. It has a diverse population, consisting of Jews and Palestinians, along with Christians, Druze, Circassian and others in minority. The HR Committee reviewed Israel's [fifth Periodic Report on ICCPR implementation](#), on the 2-3 March 2022, which provided an opportunity to re-examine the human rights framework in the country and in the territories under its effective control.

Apartheid denied by Israeli authorities

Israel is often chastised for its treatment of Palestinians in general and those in the Occupied Palestinian Territory (OPT) in particular. Amnesty International in its [report](#), observed that the State of Israel follows an Apartheid Policy towards Palestinians, highlighting instances of cruel policies of systemic deprivation of rights, segregation, dispossession and exclusion across all territories under its effective control.⁴ Israel on its part, vehemently denied any such policy being in play either as a policy matter or under a legal framework. It instead said that democratic principles and equal rights are provided to one and all regardless of one's religion or ethnicity.

Israel has harsh policies such as curbs on free movement, carrying out frequent checks and imposing exacting restrictions. Its response has been to style its transgressions as acts of self-defense, in a country in which its citizens are subject to frequent attacks by Palestinian armed groups. Israel argues that these practices are paramount to the national security and does not constitute to be racially or ethnically discriminatory. According to the delegation, settlement expansion and land confusion are guided by historical factors rather than to displace one ethnic minority by design.

Particularly, Israel claims that the ICCPR does not apply to individuals outside of its territory but in its jurisdiction – meaning, the OPT – because it does not have effective control in those areas. This argument goes against the jurisprudence of the Committee, various other Treaty Bodies, the International Court of Justice and State practice. Moreover, the Committee also did not agree with Israel's position that international human rights law does not apply when international humanitarian law is at play. As a result, the Committee included questions about the OPT during the dialogue.

Basic Law of 2018 erodes equal rights to national self-determination

The Israeli parliament passed a controversial law called the Basic Law in 2018 which, like a Constitution, is purported to guide Israel's legal system and is more difficult to repeal than regular laws. In this [law](#), Israel is declared and defined as the Jewish nation-state, with other characteristic provisions on its composition, its populace, language, religious practice, state emblem, flag and its holidays. The grouse harbored by the critics is that, in exclusively granting the right to exercise national self-determination to Jewish people only, it erodes the legal basis for pursuing such equal rights for Syrian Arabs, Palestinians and others. The law grants automatic citizenship upon

⁴ <https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/>

immigration selectively to Jews only, while also promoting the building of Jewish settlements and downgrading the status of Arabic as official language. This ingrains discrimination and inequality against every individual who is not Jewish. There is a call for the State of Israel to amend or repeal this law. Petitions against the law have been pending before an extended panel of the Supreme Court and a ruling is awaited.

Settlement activities and The Wall are illegal under international law

East Jerusalem was the only OPT to be [formally annexed](#) by the State of Israel in 1967. West Bank, Gaza Strip and East Jerusalem have characteristically been subject to de facto annexation and occupation.⁵ Establishment and expansion of settlements and the construction of a separation Wall in the West Bank along with legislations to extend territorial jurisdiction to such settlements point out to attempts by Israel to appropriate lands in the OPT in contravention to international law.

The State of Israel has time and again reiterated that the OPT is disputed territory rather than occupied. It claims historical, biblical and legal connections to these areas and justifies its claims by saying that Golan Heights is of strategic significance, security wise, and that establishment of settlements with army presence is primarily to protect Israeli citizens from threats and attacks. However, excessive use of lethal force and settler-violence in terms of extensive destruction and appropriation of property not serving the legitimate security needs, has exponentially increased over the years.⁶ These stand stark in opposition to the justifications given by the State of Israel.

Still no National Human Rights Institution (NHRI)

The absence of a NHRI is problematic. With no institution to appeal to enforce justice and check violations, people are deprived of any rule of law. The restrictions imposed on movement, freedom of expression, excessive use of force by the Israeli law enforcement agencies are all contributing to human right abuse. Palestinians living in the West Bank are often booked as unlawful groups under [archaic laws](#). There have been petitions to establish a NHRI but no further developments have taken place.

In conclusion, states have a duty to respect, protect and fulfill the human rights of people under their jurisdiction, including people living in territory under the effective control of the state. Accordingly, Israel, having well-defined obligations under various treaties to which it is a party, has to strive to protect the rights of all its people. The recommendations of the Committee, if implemented, will go a long way in addressing the concerns identified by the Committee well as by civil society. The next periodic review may hopefully have positive strides to be commended on these agendas.

Watch the dialogue of the Committee [here](#).

Please refer [here](#) for all the recommendations given by the Committee in the Concluding observations.

5 A/73/447

6 <https://www.amnesty.org/en/latest/campaigns/2019/01/chapter-3-israeli-settlements-and-international-law/>

Luxembourg: strife for higher standards

The Grand Duchy of Luxembourg, the landlocked country in Western Europe is known for its strong economy, high standard of living and rich cultural heritage. In 1839 it gained independence as a separate country and established its own sovereign state. Through the years, Luxembourg has undertaken commendable steps in ensuring their commitment to respect and uphold the rights and freedoms set forth in the ICCPR. After receiving the [fourth Periodic Report](#), the HR Committee examined the State of Luxembourg's human rights framework on the 29-30th June, 2022.

More room for improvement on non-discrimination

The Centre for Equal Treatment (CET) was created in November 2006 with a mandate to independently promote, analyze and monitor equal treatment between all persons without discrimination on the basis of race/ ethnic origin, sexual orientation, religion or beliefs, disability or age.⁷ Despite this, over the years, access to justice for the victims of discrimination is stifled mainly due to inadequate awareness of their entitled remedies. This has led to very low prosecutions and convictions for discrimination. Therefore, an effort to strengthen the CET's resources and competences by streamlining its right to receive complaints, conduct investigations and take effective legal action to avoid abuse to one's right to non-discrimination needs to be put in place.

Moreover, [an amendment](#) to the Constitution proposed in 2021, has the potential to leave room for interpretation which can differentiate between citizens of Luxembourg and non-citizens with regard to the right to equality before the law, the right to vote and stand for elections. According to [STATEC 2020](#), 47.4% of the population of Luxembourg are foreigners. This amendment, if enforced, leaves out close to half the demography from the exercising its will in political outcomes and elections. The Committee has requested a rephrasing of the amendment to remove this probable disparity.

Persons with Disabilities – is enough done or undone?

Through the [Act of 7 January 2022](#), accessibility to public places, public roads and multi-dwelling building is ensured for all. However, the threshold to access to certain services and public funding is restricted, based on the degree of impairment which is set at 30% loss of working capacity.⁸ This needs to be reassessed so that persons with disabilities below this percentage are also considered as employees with disabilities and are accorded due assistance.

Intersex Persons and the need for their consent

Luxembourg has adopted a [National Action Plan in 2018](#) to cover the interest and rights of the LGBTQI persons. Similarly, a draft bill on the right of self-determination on intersex children is underway. These positive developments are commended by the HR Committee. However, the current practice of subjecting children with variations in sexual development at birth to invasive

⁷ https://equineteurope.org/author/luxembourg_cet/

⁸ Per Article 2 and 26 of the Act of 7, January 2022

and irreversible medical procedures to thereby assign them a sex, without their consent, clearly amounts to a violation of the ICCPR. This situation has necessitated having a legal framework in place, which ensures such procedures are resorted to only in instances of a medical necessity or are carried out upon the informed consent of the person. All relevant statistics on such procedures, the rehabilitation and compensation measures taken for victims in such cases need to be collected.

Fight against Female Genital Mutilation (FGM) needs more streamlined efforts

Luxembourg has enacted laws and criminalized FGM in its criminal code.⁹ However, according to [European Institute for Gender Equality](#), 17% of girls and women in Luxembourg fall into the risk group which may be subjected to FGM. Immigration from countries where there is widespread practice of FGM. This has necessitated Luxembourg to devise a national strategy to proactively engage in raising awareness of the risks and dangerous consequences of its practice to the communities at risk. Additionally, the collection of data along with a concrete plan for rehabilitation measures, compensation and assistance into for the victims, are needed.

Rigid systems for refugees and asylum seekers

The issue of concern is the fact that detention of children is allowed in Luxembourg. The governing provisions of applications for family reunions are found to be too rigid. The concept of family unit is very narrowly interpreted, and the time limit for submission of applications is very tight. Delays in decisions of reunifications are evident and this defeats the purpose of integration of asylum seekers according to the HR Committee. It therefore calls for an amendment which prohibits detention of children irrespective of their migration status and eases up on deadlines for applying for family reunifications.

Climate Crisis: Contribution of Luxembourg's Financial Actors

There is a clear call for States to regulate state and private financial actors on their high-emissions investments within their jurisdiction and extraterritorially under their influence.¹⁰ The specific impact of the financial actors on climate change and subsequently on fundamental human rights is [highlighted](#) by five human rights Treaty Bodies. The Committee on the Rights of the Child (CRC) in its [List of Issues](#) Prior to Reporting to Luxembourg required that the State “provide information regarding private and publicly owned financial institutions, and take into consideration the implications of climate change of their investments and the resulting harmful impact on the children.”¹¹ Luxembourg needs to adopt requisite policies in line with climate science. Accordingly, it should ensure full enjoyment of human rights domestically and prevent violations of these rights abroad.

The State of Luxembourg undergoes its next review in 2030. A follow up on the steps taken towards the implementation of recommendations is due in 2025. Watch the dialogue of the Committee [here](#). Please refer [here](#) for all the recommendations given by the Committee in the Concluding observations.

9 Criminal Code of article 409 bis (through the Act of 20 July 2018)

10 <https://www.greenpeace.org/luxembourg/fr/actualites/14089/dirty-and-dangerous-through-its-investments-the-luxembourg-pension-fund-fdc-fuels-the-climate-crisis-and-fails-to-protect-human-rights/>

11 CRC/C/LUX/QPR/5-6



Qatar's unfinished business with migrant workers

In 2018, the State of Qatar became the third Gulf country to ratify the ICCPR. This positive development came at a crucial timing at alleviating the human rights landscape in the country ahead of the 2022 FIFA World Cup. Issues of migrant workers, their continued abuse, repression of freedom of expression and assembly garnered international attention during the world cup. Exploitation of women and limited suffrage has left the State wanting of more serious actions in implementing its obligations. In this setting, the HR Committee reviewed Qatar's [first Periodic report](#) on the Covenant in March 2022.

The Committee commended affirmative legislations streamlining property ownership by foreign nationals, rehabilitation and anti-trafficking units for victims of abuses. But despite proactive steps taken in terms of labour reforms such as banning the *kafala* (sponsorship) system, setting of minimum wages, their poor enforcement has rendered them ineffective.

Admirable nascent strides, yet many avenues for change

Following the accession in 2018, the State of Qatar has given due recognition to its commitments under the Covenant by adopting them as an integral part of its domestic legal system. However, the fact remains that Sharia law enunciated in the Qatari Constitution takes precedence over the Covenant. Accordingly, Qatar's accession is conditional to a [long list](#) of critical reservations and statements on accounts of gender equality between men and women, age of marriage, freedom of thought, conscience and religion amongst others. In this regard, a timeline defining the unconditional, full and effective application of the Covenant is awaited. In addition, the HR Committee encourages the State to have an effective framework to clear ambiguities in potential conflicts between *Sharia law* and the Covenant.

A stifling case of freedom of expression, assembly and suffrage

Abusive laws that have smothered independence of media houses, broadcasters and activists over the years, continue to exist. [Amnesty International](#) highlights that cases of arbitrary detention and unfair trials based on coerced confessions of those critical of the State is common. Restrictive and excessive procedures to exercise the freedom of assembly are also concerning. Citizens and non-citizens alike face brutal repression and repercussions for assembling peacefully in public places. Recently, in August 2022, hundreds of migrant workers were arrested and deported by state authorities for protesting against wage conditions.

Though the newly introduced elections laws may seem to be in line with the Covenant, the disenfranchisement of thousands of citizens from voting based on lineage sparked controversies and protests on ground and on social media. The state's heavy-handedness in repressing the demonstrations and handling criticism was overtly excessive and crippling of the freedoms to expression and assembly. Towards these ends, the HR Committee requires the state to reform its electoral framework and ensure the free, full and effective implementation of the Covenant.

Unfinished Business in terms of Migrant Workers

Since the FIFA contract to host the World Cup of 2022 was awarded to Qatar, the issue of migrant workers has been in the limelight. Through the illegal continuance of the Kafala (visa-sponsorship) system, under which sponsors have complete control over migrant workers' employment and immigration status, migrant workers face a myriad of problems: delayed and meagre wages, abhorrent living conditions, lack of freedom to associate or form union to raise collective voices, domestic violence, no freedom to change jobs, seek absence or use their own passport, the problems that migrant workers face, are widespread. Claims from civil society organizations and human rights activists from all over the world to come up with a compensation/ rehabilitation or integration plan for the workers has continuously fallen on deaf ears. According to [Human Rights Watch](#), Qatar's labour protection systems and compensation mechanism are grossly inadequate to remedy these widespread abuses. Despite international pressure, neither FIFA nor the Qatari authorities have come up with a concrete compensation plan to settle the challenges faced by migrant workers.

Gender equality remains a challenge

Glaring patriarchal stereotype has led to poor and under-representation of women across all domains. The legal vacuum in the area of penalizing domestic violence, marital rape and the lack of data on violence against women remains problematic. Abortions are legally permissible only in cases threatening the safety of life of the mother or in involving fatal fetal impairment. Criminalization of abortions in cases not qualifying under the above two categories are constricting of women's rights. Many cases of unsafe abortions by unmarried women, compromising the safety of their lives reflects the critical need to reassess criminalizing abortions. Additionally, as [Human Rights Watch](#) highlights, the concept of male guardianship under the Qatari law which denies women the right to make key decisions about their own lives is starkly in violation of the Covenant. At this outset, the HR Committee requires the State of Qatar to set its affairs in order by ensuring that women's sexual, health and reproductive rights are guaranteed, and that cases of violence against women are effectively investigated and prosecuted.

Death Penalty still a doom

Death penalty for non-serious crimes such as espionage, apostasy, same-sex sexual activity and blasphemy amongst others, is still prevalent. In other words, capital punishment is awarded to classes of offences which do not meet the requirements laid out in the [General Comment No. 36](#) on Article 6 of the Covenant. The HR Committee strictly advises the state to come up with a timeline by which imposing death penalty will fall in tandem with the General Comment and to mobilize public opinion towards the abolition of death penalty.

Thus far, in its maiden report, the State of Qatar has shown efforts in the right direction. But it is obvious that there is a lot more avenues demanding sweeping reforms and proactive engagements and attention of the state. Until the next review, the State of Qatar has to take active and positive strides in disseminating and gathering public awareness towards the rights under the Covenant and work towards guaranteeing them.

More articles on Qatar can be found [here](#), and the the dialogue with the Committee can be found [here](#). Please refer [here](#) for all the recommendations given by the Committee in the Concluding observations.



Uruguay's human rights record scrutinized by the Human Rights Committee

The HR Committee assessed Uruguay's human rights record during the review of its sixth periodic report on 30 June and 1 July 2022. While Uruguay highlighted its ratification of international human rights treaties and its standing invitation to the Special Procedures to visit the country, concerns were raised by the Committee regarding the country's high prisoner population, criminal procedure code reforms, prison conditions, deaths in custody, independence of the national institution for human rights, gender-based violence, and past crimes against humanity.

Penitentiary system and overcrowding in prisons

The state of Uruguay's penitentiary system, for both adults and minors, took center stage during the dialogue. With over 14,000 individuals currently deprived of their liberty, issues of overcrowding, high recidivism rates, and reports of ill-treatment were deemed critical. Uruguay informed the Committee about its plans to construct an additional 3,500 prison spaces and its strategic initiatives to promote alternatives to detention and support the reintegration of former convicts. Additionally, Uruguay asserted that cases of deaths in prisons were isolated incidents rather than systemic problems, often associated with the challenges posed by the ongoing pandemic.

Regarding youth detention centers, Uruguay refuted the Committee's assertion that police officers were involved in the social education of detainees. The Committee also highlighted the case of abuse of juveniles at the Cephili Home in 2015 and expressed concern that 56% of adolescents in that home spent between 12 to 18 hours per day confined to their cells.

For a more comprehensive understanding of the situation faced by individuals deprived of their liberty in Uruguay, refer to [this report, submitted by a coalition of civil society organizations \(CSOs\)](#) to the Committee.¹²

Women's rights and gender-based violence

The Committee raised issues concerning the limited access to safe and legal abortions for pregnant women without Uruguayan nationality and migrants. In response, Uruguay clarified that all migrants residing in Uruguay for more than one year are eligible for abortions, regardless of their residence permit or legal citizenship status. Addressing the high percentage of healthcare professionals refusing to perform abortions based on conscientious objection, Uruguay emphasized that they are legally obligated to provide timely and effective referrals to non-objecting colleagues. Child marriage was also a point of focus, as 15% of women in Uruguay are married before the age of 18. The delegation stated that they were considering a bill to raise the minimum age of marriage to 18.

¹² Informe de las organizaciones de la sociedad civil sobre la situación de los Derechos Humanos en Uruguay

The Human Rights Committee's recommendations

On July 27, 2022, the HR Committee released its Concluding Observations on Uruguay's sixth periodic report, which included several recommendations. The state party has been asked to provide information on the implementation of these recommendations by July 28, 2025.

On violence against women and domestic violence, the state party should intensify efforts to prevent, combat, and eradicate all forms of violence against women and girls. This includes allocating adequate resources, training relevant officials, facilitating the filing of complaints, investigating and prosecuting cases promptly, and ensuring comprehensive reparations for victims.

Uruguay should also take steps to improve the **treatment of persons deprived of their liberty**. This includes the separation of persons in pretrial detention from convicted individuals, thorough investigations into deaths in custody, addressing overcrowding, the prioritization of non-custodial measures for non-violent female offenders, no pretrial detention of children and adolescents, and improved detention conditions in accordance with international standards.

Lastly, the state party should guarantee **access to justice, judicial independence and the right to a fair trial**. Concretely, the State should ensure the independence of the public defender's office, allocate sufficient resources to the judiciary, and ensure timely investigations into and punishments for cases of police abuse.

To review all the recommendations made by the Committee, please refer to the [Concluding Observations](#).



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