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UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review *

Comoros

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fifth session from 4 to 15 May 2009. The review of the Comoros was held at the 15th, meeting on 13 May 2009. The delegation of the Comoros was headed by H.E. Mohamed Jaffar Abbas, Secrétaire Général du Ministère de la Fonction Publique, des Réformes administratives et institutionnelles et des droits de l'homme. At its 17th meeting, on 15 May 2009, the Working Group adopted the present report on the Comoros.
2. On 8 September 2008, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Comoros: Ghana, United Kingdom of Great Britain and Northern Ireland and Mexico.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of the Comoros:
 - (a) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/5/COM/2);
 - (b) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/5/COM/3).
4. A list of questions prepared in advance by the Czech Republic, Denmark, Germany, Latvia, the Netherlands and the United Kingdom of Great Britain and Northern Ireland was transmitted to the Comoros through the troika. These questions are available on the extranet of the UPR.

I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS

A. Presentation by the State under review

5. A la quinzième séance, le 13 mai 2009, Mohamed Jaffar Abbas, Secrétaire Général du Ministère de la Fonction Publique, des Réformes administratives et institutionnelles et des droits de l'homme, a fait une présentation. Il a exprimé ses remerciements pour les efforts déployés afin que les Comores puissent participer à l'Examen Périodique Universel. Il a rappelé que les Comores, depuis leur indépendance, ont toujours, au travers des différentes constitutions, proclamé leur profond attachement aux idéaux des droits humains. Au-delà des innombrables freins, économiques, sociaux et psychologiques, nombreux sont les engagements déjà entrepris ou en passe d'être entrepris pour promouvoir un véritable développement humain.
6. Avant d'entamer sa présentation, le représentant des Comores a précisé que celle-ci ne tiendrait pas compte de l'île comorienne de Mayotte qui reste, malgré toutes les condamnations internationales, sous domination française. Les Comores ont néanmoins exprimé leur préoccupation concernant les actes de discriminations et les mauvais traitements auxquels sont soumis les ressortissants comoriens sur l'île de Mayotte, accusés d'être en situation irrégulière sur une terre qui, pourtant, leur appartient. Dans un centre de rétention le plus indigne, des bébés, enfants, femmes et hommes adultes sont entassés dans une pièce insalubre au départ conçue pour 60 personnes mais qui en accueille plus de 200, et des familles sont séparées par la force. Des milliers sont morts à cause de la politique des Visa imposée aux ressortissants des autres îles des Comores, qui défie la mer sur des embarcations de fortune pour se rendre à Mayotte.

7. Concernant le cadre juridique relatif à la protection des droits humains, le Gouvernement a tout d'abord rappelé que le droit aux Comores est constitué de trois sources : le droit coutumier, le droit musulman et le droit d'origine napoléonienne. Chacune de ces trois sources comporte, à des degrés différents, des facteurs de disparités entretenant ainsi des inégalités manifestes entre la femme, l'enfant et l'homme comorien.

8. En matière de juridiction, suivant le lieu et le sujet, chacun de ces droits peut être appliqué. Toutefois, le droit positif est amené à prouver sa suprématie pratique malgré l'influence de la religion et des traditions sociales.

9. En plus de la Déclaration universelle des droits de l'homme, la Charte Africaine des droits de l'homme et des peuples, et la Convention relative aux droits de l'enfant, d'autres instruments relatifs aux droits de l'enfant ont été adoptés. En 2007, des nouvelles lois ont autorisé le Président de l'Union des Comores à ratifier les deux protocoles facultatifs à la Convention des droits de l'enfant. D'autres lois, adoptées en 2007 et en 2006 ont modifié le code Pénal et sont venues régir la protection de l'enfance et la répression de la délinquance juvénile.

10. Concernant la situation des femmes, les Comores ont ratifié la Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes et adopté un nouveau Code de la famille qui préserve les droits de la femme et de l'enfant dans le milieu conjugal.

11. Au-delà de ces textes, l'Etat comorien a mis en place plusieurs structures œuvrant pour la protection des droits de la femme à savoir: une Direction Nationale de la Promotion du Genre, un département chargé des Droits de la femme, un Ministère de la Promotion du Genre au niveau de l'Ile Autonome de Ngazidja, une Direction du Genre à l'Ile Autonome de Mohéli et une Direction du Genre à l'Ile Autonome d'Anjouan. En outre, plus d'une centaine d'associations féminines œuvrant à la promotion des droits des femmes bénéficie de l'appui gouvernemental, les plus actives étant le Réseau National Femme et Développement et le « Forum for African Women Educationalists Comoros ». Plusieurs structures sont aussi mises en place pour la protection des enfants, notamment trois services d'écoute et de prise en charge des enfants victimes de maltraitance au niveau de Ngazidja, Mohéli et Anjouan.

12. Les Comores notent que la violence contre les enfants, sous toutes ses formes, est en augmentation, comme l'attestent les statistiques portant sur ces trois dernières années. Les enfants abandonnés ou maltraités par leurs parents sont placés sous la garde de certaines familles et responsables de la protection de l'enfance à défaut d'un centre d'accueil. Il est à noter que la crise séparatiste à Anjouan en 2008 a entraîné un accroissement des cas d'abandons de familles, en raison des départs vers les autres îles sœurs.

13. A Ngazidja, les détournements de mineurs, les agressions sexuelles ainsi que les abandons de famille et autres formes de violence contre les enfants sont très fréquents. Beaucoup de ces cas sont réglés à l'amiable moyennant des dédommagements d'ordre matériel et/ou financier, compte tenu de la tradition comorienne. Des mariages précoces issus de ces arrangements sont également célébrés pour sauver l'honneur de la famille. A Anjouan, ces formes de violence sont très élevés, mais la population ose dénoncer et privilégie les procédures judiciaires aux arrangements familiaux. Les auteurs des ces infractions sont traduits en justice et sont condamnés à des peines allant de 5 à 6 ans d'emprisonnement ferme, plus les dommages et intérêts.

14. Un autre problème se pose pour les enfants en conflit avec la loi puisque pour l'instant, le Gouvernement ne dispose pas d'un tribunal pour mineurs. Les prisons ne comportent pas non plus de quartier réservé aux mineurs, ce qui ne fait qu'empirer la situation des enfants délinquants. A Mohéli et Anjouan, les mineurs sont ainsi détenus dans les mêmes quartiers que les adultes. Par contre, à Ngazidja, même si ce n'est pas un lieu approprié, ils sont placés dans les casernes, où sont logés les gardes pénitenciers.

15. Les nouvelles stratégies que l'Etat compte mettre en place à court terme consistent en l'aménagement d'installations adéquates pour l'accueil des victimes de violence, de maltraitance et d'abandon, la création de services de polices spécialisés dans la protection de l'enfance, et le développement d'une politique nationale pour les enfants délinquants, par le biais, notamment, d'une assistance juridique propre à l'enfant auteur des infractions, et l'accent mis sur la rééducation et le suivi pédagogique.

16. Concernant la situation des femmes, les Comores rappellent que celles-ci jouissent de leurs droits fondamentaux au même titre que les hommes, même si des inégalités demeurent, notamment en raison des lois coutumières du pays. Les femmes ne représentent que 6 pour cent des membres du Gouvernement et seulement 25 pour cent des femmes sont actives contre 46 pour cent chez les hommes. En outre, 70 pour cent des femmes ont subi des violences physiques ou sexuelles. Une femme sur trois est victime d'attaque verbale, physique ou d'agressions sexuelles de la part de son conjoint. Les Comores regrettent que ce phénomène demeure un tabou, les femmes n'osant pas dénoncer les actes de violence à leur égard.

17. Dans le domaine de la santé, il a été mentionné que les femmes reçoivent de manière insuffisante les soins prénataux. Certaines d'entre elles hésitent à consulter un médecin soit par manque de moyen financier ou par pudeur. Malgré les ressources limitées, le Gouvernement s'investit pour une politique de santé de la famille et plus particulièrement concernant la femme.

18. Le Gouvernement comorien a adopté en juin 2008 une politique nationale sur l'égalité du Genre. Les stratégies que les Comores comptent mettre en place à court terme consistent à favoriser d'avantage la participation des femmes à la prise de décision et aux activités économiques, vulgariser le Code de la famille, et mettre en place un service d'écoute et une juridiction pour les cas de violence domestique. En outre, le Gouvernement compte améliorer les services de santé, ainsi que renforcer la sensibilisation en matière de planning familial et la formation du personnel médical et paramédical féminin.

19. A la fin de sa présentation, le Gouvernement a souligné la richesse du cadre juridique des Comores en rappelant qu'après plus de trente ans d'indépendance, le poids primant de la tradition faisant des Comores une société discriminante a beaucoup changé. Malgré des défaillances encore à corriger, les femmes et les enfants connaissent tout de même une amélioration dans leur vie quotidienne vis-à-vis de l'homme.

B. Interactive dialogue and responses by the State under review

20. During the interactive dialogue, 31 delegations made statements. A number of delegations praised the Comoros for its participation and for its commitment to the universal period review process. A number of delegations noted with great appreciation the Family Code adopted in 2005, progress in reducing infant and child mortality rates, and efforts to combat poverty.

21. Qatar valued the achievements of the Comoros as results of the national reconciliation and constitutional reform and the multiparty presidential elections in 2006. It noted the country's accession to many human rights instruments such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It also took note of the Comoros' efforts to combat corruption, reduce poverty and achieve good governance. Qatar recommended that the Government pursue efforts for the universalization of education for all school aged children in order to fulfil the second Millennium Development Goal on the right to education.

22. Algeria noted the absence of a national report and asked whether technical assistance had been requested in this regard. It welcomed efforts, despite constraints, in combating poverty and inequalities between men and women, and to preserve the rights particularly of women and children. On child protection, Algeria recommended (a) giving particular attention to train judges and police officers and improve care structures for children, with a view to improve its system of protection of children and justice for minors, and with this objective request support from the international community in general and technical assistance from OHCHR in particular. It noted the adoption of the Family Code in 2005 and a national policy on gender equality in 2008, and that the United Nations Development Assistance Framework 2008-2012 recognised the new Family Code as real progress in legal terms. Algeria recommended (b) implementing awareness-raising activities on the provisions of the Family Code and strengthening of the judicial structure designed to assure respect for the Code in order to build on progress to be made with the adoption of the Code, and seek the support and assistance of the international community;

23. Bahrain welcomed the establishment of the development plan in terms of health and particularly for the situation of mothers and children, and asked about more information on measures adopted to ensure equality between the two sexes. It also welcomed measures designed to heighten the awareness of the population as to risks of climate change.

24. Brazil commended the Government for the reduction of the infant and under five mortality rates, for the adoption of a national policy on gender equality and the National Plan of Action for Education for All. It asked about concrete measures to combat gender-based violence as well as to improve access of women and girls to all levels of education. Brazil recommended that Comoros (a) consider the ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), recalling paragraph 1 (a) of resolution 9/12 adopted by the Human Rights Council; (b) review its domestic legislation to ensure the removal of discriminatory provisions based on gender; and (c) consider enacting legislation which prohibits the use of corporal punishment on children within the family and at school and promotes alternative forms of discipline.

25. Egypt praised the measures undertaken despite the immense challenges, and asked about efforts in the field of poverty alleviation, education and healthcare, and the needs required. It recommended that the Government (a) continue efforts aimed at promoting and protecting human rights, especially in the economic and social domains; (b) identify its specific requirements to enable it to pursue efforts aimed at promoting and protecting human rights, especially in the economic and social domains, and in this regard, call upon the international community to extend assistance and support to the Government. Egypt also recommended that the Government (c) continue to resist attempts to enforce any values or standards beyond the universally agreed ones.

26. The Islamic Republic of Iran appreciated the efforts and commitments of the Government, and noted with interest the Growth and Poverty Reduction Strategy and a National Plan of Action for education for all covering the period to 2015. It also noted with interest that the Ministry of Health is developing a health sector development plan to address maternal and child mortality. It recommended that the Government (a) continue and intensify its efforts, for further promotion and protection of economic, social and cultural rights, including the right to development for better realization of the Millennium Development Goals; (b) take concrete measures aimed at reducing the poverty rate and further increasing access to education and healthcare for all, particularly for vulnerable segments of the society including women and children; and (c) develop a national plan of action aimed at fostering a genuine human rights culture and raising human rights public awareness among the society with due regard to national and regional particularities as well as historical, cultural and religious backgrounds.

27. Tunisia referred to achievements including with regard to promoting the rights of children, particularly by setting up care and advice centres for children who are victims of abuse and mis-treatment. It highlighted efforts to promote the rights of women, their involvement in management of public affairs, and referred to a Gender Division for Gender Promotion and a Gender Department on Women's Rights. Tunisia recommended the Government to continue efforts to promote maternal health and the further participation of women in public life.

28. The United Arab Emirates noted with appreciation the efforts of Comoros, in particular to eradicate poverty with the help of the United Nations Development Programme and to put in place an educational plan for all until 2015. It also appreciated the work of the Ministry of Health to improve the health of women, mothers and children, progress with regard to the Millennium Development Goals, administrative and institutional reforms to strengthen the rule of law, and welcomed its cooperation with e.g. OHCHR and its signature of main human rights instruments. United Arab Emirates recommended the Government to continue efforts to implement the development goals and the institutional, administrative reforms it has undertaken.

29. Mexico recognized the efforts made by the Government to ensure promotion and protection of human rights, despite adverse conditions, such as the impact of the natural risks associated with climate change and hoped that the universal period review will make a positive and constructive contribution to the efforts in the area of protection and promotion of human rights. It recommended that the Government (a) intensify efforts of international cooperation to improve its institutional legal framework; (b) give positive consideration to acceding to ICESCR and ICCPR; and (c) intensify efforts to cooperate with United Nations human rights mechanisms, in particular with treaty bodies, by presenting periodic reports and pay due attention to the observations made by these bodies.

30. Canada encouraged the Government to continue integrating international human rights norms in the legal system. It noted with satisfaction that the National Assembly approved in 2007 an amendment of the Penal Code, criminalizing sexual abuse of children. Canada recommended that the Comoros (a) accede to the main international human rights instruments, including ICCPR and ICESCR; (b) modify its national legislation in order to eliminate discriminatory provisions on the basis of gender; and (c) promote gender equality by taking specific measures in this direction in the field of employment, in particular by setting up a procedure to receive and process allegations of individual discrimination. Canada recommended that the Government (d) use the terminology *droits humains* or *droits de la personne* in French, which reflects true equality between men and women; and (e) set up a national strategy for

combating sexual abuse of children, including child pornography with a view of preventing and combating the phenomenon.

31. The United Kingdom of Great Britain and Northern Ireland recognised the resource limitations and several years of political crisis, and noted that the Comoros has made a few advancements in particular in reducing the under five and infant mortality rates over the last decade. It expressed a number of concerns, and asked if the state intends to establish a national human rights institution. In reference to concerns expressed by the Committee on the Rights of the Child at the marginalization of and discrimination against children with disabilities, it asked about measures to address this since the examination by the Committee. It noted concerns raised by non-governmental organizations of several legal restrictions in place which hinder the ability of persons belonging to religious minorities to practice their religion freely. The United Kingdom recommended (a) doing more to ensure that children with disabilities are fully integrated into society; (b) ensuring that persons belonging to religious minorities are free to practice their faith; (c) taking measures to enable Muslims to convert to religions other than Islam and to allow those of other faiths to proselytize; and (d) involving civil society organizations in the follow-up to the universal periodic review.

32. Pakistan noted the steps taken with regard to promotion and protection of human rights, in particular for women and children, legislative guarantees, national strategies and strengthened implementation mechanisms. It pointed out that article 10 of the Constitution gives precedence to international instruments to which Comoros is a party over national legislation. Pakistan recommended that Comoros take measures in conformity with its legislative process for the ratification of the human rights instruments it has already signed.

33. Germany noted that access to clean water and access to services such as health care is still limited, and asked about measures to address these challenges. It noted that reporting to some treaty bodies, such as the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, is overdue, and asked what measures had been undertaken and if the Comoros had sought technical assistance in this area. It referred to recommendations of the Committee on the Rights of the Child in 2000 to pay particular attention to addressing discrimination against girls and women, inter alia in reviewing legislation, and expressed interest to learn more about steps taken. Germany recommended taking concrete measures by law to prevent and combat child abuse and ill-treatment of children within the family, at school, in other institutions and in society at large and to officially prohibit by law the use of corporal punishment within the family and at school.

34. Turkey welcomed the commitment of the Comoros and encouraged the authorities to pursue efforts to further improve human rights. It encouraged it to accede to the main international human rights instruments, such as ICCPR, ICESCR and the Convention against Torture. It also praised the importance given to the rights of the child by the authorities and appreciated the adoption of the legislation relating to child welfare, as well as the amendment of the Penal Code including the criminalization of sexual abuse of children. Turkey further encouraged the Comorian authorities to take into consideration the concerns expressed by the Committee on the Rights of the Child on the low school enrolment ratios and the lack of equal access to education. It welcomed the decrease of the gender gap in schools which has dropped from 13.3 per cent to 4.1 per cent during the years. It wanted to have more information about the level of advancement on the establishment of a national human rights commission. It also asked about further measures that can be taken to increase international support and assistance

for human rights capacity-building in the country. Turkey recommended that the Comoros address illiteracy as a priority.

35. The Netherlands noted that progress has been held back due to years of political crisis and economic difficulties. It recommended that Comoros (a) ratify ICESCR, ICCPR and the Convention against Torture; (b) take further measures to address violence against women, domestic violence and sexual abuse and harassment, including awareness raising campaigns in society at large and provide protection measures for the victims; and (c) ensure and protect the freedom of religion, both in legislation and in practice, and take measures to prevent discrimination in practice against persons from all religions and beliefs.

36. Slovenia referred to concerns expressed by the Committee on the Rights of the Child and asked about measures intended to take to prevent and combat ill-treatment of children in family, school and other institutions. It recommended that the Government (a) include a specific prohibition on the use of corporal punishment within the family and at school in its legislation. Slovenia recommended the Government to (b) consider its strong position and abolish the death penalty, if necessary by initially establishing a moratorium on executions, which would be in line with the General Assembly resolution 63/168 on the moratorium on the use of the death penalty. It noted signatures of some of the core human rights documents, and strongly recommended that the Government (c) ratify ICCPR, ICESCR and the Convention against Torture and international instruments as soon as possible and as a priority.

37. Senegal acknowledged that it is difficult for the country to implement with efficiency its commitments undertaken in the area of human rights. The delegation encouraged the Comoros to conduct an exhaustive assessment of their needs in terms of technical assistance and that it requests support from the international community in this regard. Senegal also encouraged the Government to redouble its efforts in order to make the institutional and normative context more favourable to the effective enjoyment of human rights and fundamental liberties.

38. Jordan noted that despite political, economic and social challenges Comoros continues to take steps to consolidate peace, foster political reconciliation, rebuild national institutions and improve human rights situation. Jordan recommended that Comoros (a) consider the establishment of a national human rights institution; and (b) continue efforts to give special regard to women and children and ensure their enjoyment of human rights and fundamental freedoms.

39. Malaysia acknowledged that until only recently, the Comoros has had to contend with an uncertain political and security situation, which has had grave implications on the Government's ability to effectively promote and protect the human rights of its people. The delegation appreciated the presentation in the areas of national reconciliation and national reconstruction. Malaysia recommended (a) continuing to harmonize, implement and enforce existing laws aimed at protecting the human rights of women and children; (b) engaging members of the international donor community and seeking technical assistance and capacity building to address the problem of poverty and poor human development performance; and (c) increasing cooperation with the relevant United Nations bodies and other international organizations in the efforts to mitigate the harms of climate change and adapt to its effects on the country's citizens.

40. France commended the commitment of the Comoros and the ratification of some main international instruments. With regard to the Comoros' observations about the Island of Mayotte, France noted that the people of Mayotte had freely expressed on several occasions their wish to

be and to remain French and that France has fully respected their right to self-determination. The delegation further specified that the human rights situation in Mayotte was dealt with within the context of the review of France. In addition, France raised questions concerning arbitrary detentions during March 2008, the upcoming referendum for the revision of the Constitution and the protection of the rights of children especially with regard to preventing violence against children in religious schools. France recommended that the Government (a) set up a criminal policy which is determined to prevent, combat and punish those responsible for violence against women and take specific measures for the victims of violence; (b) sign the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; (c) create an agency for the protection of children, with the help of partners such as UNICEF; and (d) sign and ratify the International Convention for the Protection of All Persons against Enforced Disappearance and ratify ICCPR.

41. Morocco noted the efforts of the Government with regard to improvement of the situation of human rights and asked for further information with regard to the launching of a process for establishment of national commission on human rights, measures in the health sector aiming to reduce maternal and child mortality and national policy on gender equality, adopted in 2007. It recommended that the Comoros (a) request assistance from the United Nations specialized agencies, specifically World Health Organization, to provide financial and technical support as necessary, to consolidate measures for the reduction of maternal and child mortality and improve children's access to healthcare; (b) continue efforts to promote school attendance of children and to fight illiteracy through specific programmes for the most vulnerable population especially in rural areas; and (c) continue the policy for the improvement of the situation of women and their integration in public and political life.

42. Italy was concerned about restrictions faced by individuals and communities belonging to religious minorities in their right to practice their religion. It recommended (a) stepping up efforts to ensure the full respect of freedom of religion and worship, including by reviewing provisions of the Penal Code related to the freedom of religion, in order to eliminate all forms of discrimination based on religion or belief; (b) taking all necessary and appropriate measures to eradicate all forms of child labour, in accordance with international legal standards, and to protect children from economic exploitation. Italy also recommended (c) developing a national strategy to guarantee a better access to education to all children and to include in the school system at all levels appropriate measures in the field of human rights education, in accordance with the plan of action 2005-2009 of the World Programme for Human Rights Education.

43. Chad congratulated on the presentation, while noting the absence of the national report. It noted with satisfaction that the Comoros is party to a number of international human rights instruments. It recommended that the Government (a) integrate the different agreements and treaties to which it is party in its domestic legislation and become party to other international instruments in the area of human rights; and (b) request the international community to provide material and financial assistance to the Comoros so that it can meet the challenges before it in the area of human rights.

44. The Czech Republic welcomed the information by UNICEF on the juvenile justice system and asked about its functioning. It recommended that the Government (a) speed up the ratification process of the core international treaties, which it has signed over recent years, and strengthen its human rights institutional framework; (b) take measures to ensure effective protection of journalists together with investigation and punishment of perpetrators of such threat or attacks; (c) carry out genuine investigations into cases of human rights violations be carried

out, in order not to allow the atmosphere of impunity prevail. The Czech Republic recommended that the Government (d) review conditions in prison and detention facilities so that they meet international standards, in particular where juveniles are concerned; (e) establish a systematic registration of all new born children and adopt further measures, including awareness-raising campaigns to fight child labour and violence against children; and (f) review provisions of the criminal law penalizing consensual same-sex-activity between adults and organizing of awareness-raising campaigns promoting tolerance in this regard;

45. Latvia noted that although no requests have been made by special procedures mandate holders to visit the Comoros, it recommended that the Government consider extending a standing invitation to all special procedures of the Human Rights Council.

46. The Syrian Arab Republic referred to major efforts made to re-establish democracy, and stated that those responsible for establishing the different policies in the country have applied human rights principles despite taking into account the specific traditions and cultures of each island. It considered that the presence of the representative of the Comoros demonstrated the importance placed on cooperation with all human rights bodies. The Syrian Arab Republic stated that as the Comoros has a responsibility to the international community, the international community has a responsibility to support the Comoros and promote the right to development as well as rights to education and health. The Syrian Arab Republic recommended that the Government continue efforts to ensure respect for human rights, while bearing in mind the religious and cultural specificities of the country.

47. South Africa commended the Government for the efforts to establish the legislative framework. It noted the development of the Growth and Poverty Reduction Strategy, as well as the National Plan of Action for education for all. It sought clarification on measures implemented to eliminate disparities between men and women in the political, economic and social spheres, including cultural beliefs. South Africa also asked about measures implemented to align policies and strategies with the provisions of Convention on the Rights of the Child. It encouraged continuing efforts for national reconciliation, to intensify efforts to reduce poverty, promote access to water, health, education and other social as well as to establish a national human rights institution in accordance with the Paris Principles. Mindful of financial and other resource constraints and political challenges, South Africa urged the international community to continue its efforts of assisting and supporting in its development efforts through capacity building program.

48. Lebanon noted the comprehensive, transparent and frank presentation. It recommended that the Comoros (a) continue pursuing and redoubling efforts to establish plans and strategies for the development of the country, concentrating on the improvement of the situation of economic and social rights of its citizens and seek to benefit from the support and services of OHCHR and the international community; and (b) continue its commitment to the improvement of the situation of women in the society through policies, programmes and projects to that end.

49. Bangladesh noted the fact that the process of establishing an independent human rights commission is underway. It considered that poverty alleviation remains an overriding concern for the Comoros, and referred to concerns expressed by treaty bodies about the vulnerability of children. It appreciated the progress made in the last few years in reducing infant and child mortality rates, and welcomed the considerable improvements in achieving gender parity in schools. It expressed concern over the high incidence of malnutrition among children, and noted that the rising threats from climate change and environmental degradation are very real for a

resource constrained island nation. Bangladesh recommended that the Government (a) draw up an effective and appropriate policy framework and institutional mechanism to fight poverty with a view to attaining Millennium Development Goal 1, with the support and assistance of the international community; (b) improve the overall conditions of children by taking into account the recommendations made by the Committee on the Rights of the Child, with the support and assistance of the international community; and (c) strengthen the nation-wide health system and infrastructure to improve people's access to health care and add impetus to achieving the health-related Millennium Development Goals, with the support and assistance of the international community.

50. The United States of America asked what measures the Government has put in place to combat corruption. It recommended that the Government (a) implement a system of budget monitoring, accountability and transparency for each of the three islands and the Union Government as a whole; and (b) implement a public information campaign alerting citizens to their rights, and the laws governing the role and actions of Government officials with regard to corruption.

51. Mauritius noted that the two countries cooperate closely within the Indian Ocean Commission, having similar concerns, amongst which, economic development, human development, HIV/AIDS and environment protection. The Observatory on the Rights of Children in the Indian Ocean Region established with the assistance of UNICEF was pointed out as another example of partnership between Mauritius and the Comoros. Mauritius asked for more information in regard to ratifications of ICESCR and ICCPR.

52. Les Comores ont remercié l'ensemble des délégations pour leurs observations et ont exprimé leur volonté d'améliorer la situation des droits de l'homme, tout en tenant compte des spécificités de la société comorienne.

53. Le Gouvernement a précisé que la discrimination à l'encontre des personnes souffrant d'un handicap n'est pas un problème aux Comores, car la tradition islamique est très tolérante à ce sujet. Le fait que le président de l'île d'Njazidja soit albinos a ainsi été cité en exemple.

54. Concernant la liberté de la presse, le Gouvernement a signalé que dans de rares cas, des journalistes ont été entendus par les autorités lorsque leurs propos allaient au-delà de ce qui est permis par la loi, mais il s'agissait alors d'affaires privées, sans relation avec l'Etat. En outre, le Gouvernement a précisé qu'il n'y a pas de prisonniers politiques aux Comores, et que les quelques dizaines des soldats qui avaient été arrêtés lors d'une tentative de sécession sur l'île d'Anjouan en 2008, sont à présent en liberté et sous contrôle judiciaire.

55. Concernant les garanties pour que les médias de l'opposition puissent couvrir les prochaines élections, le Gouvernement a signalé que sur une centaine de chaînes présentes dans le pays, il n'y en a qu'une qui appartient à l'Etat et que le reste des chaînes sont libres.

56. S'agissant de l'homosexualité, le Gouvernement a mentionné qu'elle reste un sujet tabou, les Comores étant un pays à 100 pour cent musulman. Néanmoins, l'homosexualité n'est pas condamnée par la justice, sauf dans les cas de plaintes pour viol, spécialement lorsqu'il s'agit d'enfants.

57. Le Gouvernement a rappelé que l'Islam est la religion de l'Etat comorien, toute en précisant qu'il y a deux églises catholiques dans le pays et que l'existence d'autres religions est permise. Néanmoins, il a mentionné qu'il n'est pas évident d'accepter qu'une église essaie de

convertir les gens à une autre religion, ce qui est le cas des Témoins de Jéhovah. Cette église a reçu des avertissements mais en aucun cas des sanctions juridiques ou d'un autre ordre.

58. Concernant les risques environnementaux, il a été rappelé que les Comores restent un pays vulnérable vis-à-vis du réchauffement climatique, des cyclones et des éruptions volcaniques. Le Gouvernement a remercié la collaboration de la France et des Nations Unies dans ce domaine et a invité les autres Etats à leur prêter assistance.

59. Au sujet des violences conjugales, il a été réitéré que les Comores se servent principalement de la sensibilisation pour lutter contre ce type de violence car il est rare que les femmes dénoncent les maltraitances commises par leur mari.

60. Concernant l'exploitation des enfants, le Gouvernement a précisé qu'il conviendrait de nuancer cette notion car il est très commun que les enfants travaillent avec leurs parents dans les régions reculées des Comores. Le Gouvernement s'efforce de sensibiliser les familles afin qu'elles scolarisent leurs enfants au lieu de les faire travailler.

61. Le Gouvernement a confirmé que la corruption demeure un point très sensible. Pour y remédier, le Gouvernement a considéré la possibilité d'engager des magistrats internationaux, ce qui reflète la volonté des Comores d'éradiquer le problème.

62. Concernant la répartition des budgets et compétences des organismes administratifs, il a assuré que le référendum du 17 mai vise à résoudre le problème des disparités entre les îles et l'Union et, plus particulièrement, le problème de partage des compétences. Avec cette révision de la constitution, les Comores veulent notamment retrouver un système étatique traditionnel.

63. S'agissant de la peine de mort, le Gouvernement a rappelé qu'en trente ans d'indépendance, elle n'a été appliquée que deux fois et a ajouté que les Comores avaient besoin de temps pour arriver à concilier traditions, dogmes religieux et Etat moderne.

64. Le Gouvernement a conclu le dialogue en remerciant tous les Etats pour leurs commentaires et recommandations et a réaffirmé que les droits humains restent une priorité pour les Comores.

II. CONCLUSIONS AND/OR RECOMMENDATIONS

65. The recommendations formulated during the interactive dialogue have been examined by the Comoros and the recommendations listed below enjoy the support of the Comoros:

1. Accede to the main international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Canada); give positive consideration to acceding to ICESCR and ICCPR (Mexico); consider the ratification of ICESCR and the ICCPR, recalling paragraph 1 (a) of resolution 9/12 adopted by the HRC (Brazil); ratify ICESCR and ICCPR (the Netherlands, Slovenia); Ratify the ICCPR (France);
2. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Netherlands, Slovenia), and other international instruments as soon as possible and as a priority (Slovenia);

3. Sign and ratify the International Convention for the Protection of All Persons against Enforced Disappearance (France);
4. Sign the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (France);
5. Integrate the different agreements and treaties to which it is party in its domestic legislation and become party to other international instruments in the area of human rights (Chad);
6. Speed up the ratification process of the core international treaties which it has signed over recent years and to strengthen its human rights institutional framework (Czech Republic);
7. Take measures in conformity with its legislative process for the ratification of the human rights instruments it has already signed (Pakistan);
8. Continue efforts aimed at promoting and protecting human rights, especially in the economic and social domains (Egypt);
9. Continue to resist attempts to enforce any values or standards beyond the universally agreed ones (Egypt);
10. Continue and intensify efforts for further promotion and protection of economic, social and cultural rights, including the right to development, for better realization of the Millennium Development Goals (Islamic Republic of Iran);
11. Continue efforts to implement the development goals and the institutional, administrative reforms it has undertaken (United Arab Emirates);
12. Intensify efforts of international cooperation to improve its institutional legal framework (Mexico);
13. Consider the establishment of a national human rights institution (Jordan);
14. Create an agency for the protection of children with the help of partners such as UNICEF (France);
15. Develop a national plan of action aimed at fostering a genuine human rights culture and raising human rights public awareness among the society with due regard to national and regional particularities as well as historical, cultural and religious backgrounds (Islamic Republic of Iran);
16. Set up a criminal policy which is determined to prevent, combat and punish those responsible for violence against women and take specific measures for the victims of violence (France);
17. Develop a national strategy to guarantee better access to education to all children and include in the school system at all levels appropriate measures in the field of human rights education, in accordance with the Plan of Action 2005-2009 of the World Programme for Human Rights Education (Italy);

18. Continue pursuing and redoubling efforts to establish plans and strategies for the development of the country, concentrating on the improvement of the situation of economic and social rights of its citizens, and seek to benefit from the support and services of OHCHR and the international community (Lebanon);
19. Draw up an effective and appropriate policy framework and institutional mechanism to fight poverty with a view to attaining Millennium Development Goal 1, with the support and assistance of the international community (Bangladesh);
20. Implement a system of budget monitoring, accountability and transparency for each of the three islands and the Union Government as a whole (United States);
21. Implement a public information campaign alerting citizens to their rights and the laws governing the role and actions of Government officials with regard to corruption (United States);
22. Intensify efforts to cooperate with United Nations human rights mechanisms, particularly with treaty bodies, by presenting periodic reports and pay due attention to the observations made by such bodies (Mexico);
23. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);
24. Review its domestic legislation to ensure the removal of (Brazil) / Modify its national legislation in order to eliminate (Canada) any discriminatory provisions based on gender (Brazil, Canada);
25. Promote gender equality by taking specific measures in this direction in the field of employment, in particular by considering setting up a procedure to receive and process allegations of individual discrimination (Canada);
26. Use the terminology *droits humains* or *droits de la personne* in French, which reflects true equality between men and women (Canada);
27. Continue efforts to give special regard to women and children and ensure their enjoyment of human rights and fundamental freedoms (Jordan); continue to harmonize, implement and enforce existing laws aimed at protecting the human rights of women and children (Malaysia); continue its commitment to the improvement of the situation of women in society through policies, programmes and projects to that end (Lebanon); improve the overall conditions of children by taking into account the recommendations made by the Committee on the Rights of the Child, with the support and assistance of the international community (Bangladesh);
28. Do more to ensure that children with disabilities are fully integrated into society (United Kingdom);
29. Establish systematic registration of all newborn children and adopt further measures, including awareness-raising campaigns, to fight child labour and violence against children (Czech Republic);

30. Take further measures to address violence against women, domestic violence and sexual abuse and harassment, including awareness-raising campaigns in society at large and provide protection measures for the victims (Netherlands);
31. Consider enacting legislation which prohibits the use of corporal punishment on children within the family and at school and promotes alternative forms of discipline (Brazil); take concrete measures by law to prevent and combat child abuse and ill-treatment of children within the family, at school, in other institutions and in society at large and to officially prohibit by law the use of corporal punishment within the family and at school (Germany);
32. Set up a national strategy for combating sexual abuse of children, including child pornography, with a view of preventing and combating the phenomenon (Canada);
33. Take all necessary and appropriate measures to eradicate all forms of child labour, in accordance with international legal standards, and to protect children from economic exploitation (Italy);
34. Review conditions in prison and detention facilities so that they meet international standards, in particular where juveniles are concerned (Czech Republic);
35. Carry out genuine investigations into cases of human rights violations in order to not allow the atmosphere of impunity to prevail (Czech Republic);
36. Give particular attention to train judges and police officers and improve care structures for children, with a view to improve its system of protection of children and justice for minors, and with this objective request support from the international community in general and technical assistance from OHCHR in particular (Algeria);
37. Implement awareness-raising activities on the provisions of the Family Code and strengthen the judicial structure designed to assure respect for the Code in order to build on progress to be made with the adoption of the Code, and seek the support and assistance of the international community (Algeria);
38. Ensure that persons belonging to religious minorities are free to practice their faith (United Kingdom);
39. Continue efforts to ensure respect for human rights, while bearing in mind the religious and cultural specificities of the country (Syrian Arab Republic);
40. Continue the policy for the improvement of the situation of women and their integration in public and political life (Morocco);
41. Continue efforts to promote maternal health and the further participation of women in public life (Tunisia);
42. Strengthen the nationwide health system and infrastructure to improve people's access to health care and add impetus to achieving the health-related Millennium

- Development Goals, with the support and assistance of the international community (Bangladesh);
43. Take concrete measures aimed at reducing the poverty rate and further increasing access to education and health care for all, particularly for vulnerable segments of the society including women and children (Islamic Republic of Iran);
 44. Increase cooperation with the relevant United Nations bodies and other international organizations in the efforts to mitigate the harms of climate change and adapt to its effects on the country's citizens (Malaysia);
 45. Pursue efforts for the universalization of education for all school-aged children in order to fulfill the second Millennium Development Goal on the right to education (Qatar);
 46. Address illiteracy as a priority (Turkey);
 47. Continue efforts to promote school attendance of children and to fight illiteracy through specific programmes for the most vulnerable population, especially in rural areas (Morocco);
 48. Identify its specific requirements to enable it to pursue efforts aimed at promoting and protecting human rights, especially in the economic and social domains, and in this regard, call upon the international community to extend assistance and support to the Government (Egypt);
 49. Engage members of the international donor community and seek technical assistance and capacity-building to address the problem of poverty and poor human development performance (Malaysia);
 50. Request assistance from the United Nations specialized agencies, specifically the World Health Organization, to provide financial and technical support as necessary to consolidate measures for the reduction of maternal and child mortality and improve children's access to health care (Morocco);
 51. Request the international community to provide material and financial assistance to the Comoros so that it can meet the challenges before it in the area of human rights (Chad);
 52. Involve civil society organizations in the follow-up to the Universal Periodic Review (United Kingdom).
66. The following recommendations did not enjoy the support of the Comoros:
1. Consider its strong position and abolish the death penalty, if necessary by initially establishing a moratorium on executions, which would be in line with General Assembly resolution 63/168 on the moratorium on the use of the death penalty (Slovenia);
 2. Include a specific prohibition on the use of corporal punishment within the family and at school in its legislation (Slovenia);

3. Take measures to ensure effective protection of journalists against intimidation together with investigation and punishment of perpetrators of such threats or attacks (Czech Republic);
4. Review provisions of the criminal law penalizing consensual same-sex activity between adults and organize awareness-raising campaigns promoting tolerance in this regard (Czech Republic);
5. Take measures to enable Muslims to convert to religions other than Islam and to allow those of other faiths to proselytize (United Kingdom);
6. Step up efforts to ensure the full respect of freedom of religion and worship, including by reviewing provisions of the Penal Code related to the freedom of religion, in order to eliminate all forms of discrimination based on religion or belief (Italy);
7. Ensure and protect freedom of religion, both in legislation and in practice, and take measures to prevent discrimination in practice against persons from all religions and beliefs (Netherlands).

67. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and /or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

Annex

COMPOSITION DE LA DELEGATION

La délégation des Comores était dirigée par S.E. M. Mohamed Jaffar Abbas, Secrétaire Général du Ministère de la Fonction Publique, des Réformes administratives et institutionnelles et des droits de l'homme.
