

Post-UPR
Conference on
**Ethiopia Accepted
Recommendations**

Addis Ababa University
5 January 2015



UPR
INFO

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THE ADDIS ABABA UNIVERSITY LAW SCHOOL
AND UPR INFO

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Foreword

The Universal Periodic Review (UPR) is universal in many ways: in terms of countries assessed, in the variety of issues raised, but also in the plurality of stakeholders engaging in the process and embracing its potentialities. In this framework, the initiative taken by the Addis Ababa University Law School to hold a conference on the UPR process on 5 January 2015 was remarkable. Held several months after the second review of Ethiopia to the UPR in May 2014, the conference aimed to share the outcome of the review, raising awareness about the recommendations received by the government, initiating a debate about the implementation of those recommendations and creating space for dialogue among all stakeholders. The engagement of a university in the UPR is a positive sign demonstrating that the UPR belongs to everyone: all components of society should feel involved in the UPR and have the opportunity to contribute. However, universities and law schools are rarely involved in the process and often absent from the debate. *UPR Info* has long believed in the potential of universities as key stakeholders. Their contribution to the UPR is indeed unique. Firstly, they can monitor the implementation of recommendations. The human resources at their disposal, their legal expertise and their presence in the various regions of a country place them ideally to collect information about the progress made by governments and to measure the impact of the process on the ground. Secondly, universities can play the important role of facilitators. By bringing together the government and civil society to discuss the UPR from a legal and academic perspective, they can contribute to build trust among stakeholders and ensure that the UPR is a cooperative mechanism. This is why this conference by the Addis Ababa University Law School was such an important event. Gathering over 50 representatives from universities, Ministries of Justice and Foreign Affairs, and civil society, the event demonstrated the role that universities and law schools could and should play at the UPR.

UPR Info was honoured to be involved in this conference and in the present publication of the proceedings. We will look forward to continuing cooperating with the Addis Ababa University Law School in its engagement in the UPR process.

Roland Chauville

Executive Director

UPR Info

1. Introduction

The Universal Periodic Review (UPR), started in 2008, is a new human rights mechanism of the United Nations Human Rights Council (HRC). As a peer-review process, it ensures the human rights review of all countries on a regular basis. Seven years after its inception, it has provided countless new opportunities to advance human rights at the national level. Its inclusive nature has allowed all stakeholders to come together and discuss human rights in a constructive and cooperative manner. Accordingly, Ethiopia's second cycle UPR took place on 6 May 2014, under the auspices of the HRC. The conference's primary objective was to engage the UPR mechanism as an important forum to involve local institutions and encourage dialogue among various stakeholders to continue the dialogue on post-UPR accepted recommendations. The organizers believed it would be an important venue to bring academics, policy makers, practitioners and civil society at large together to share experiences and insight about how to work together to implement accepted recommendations. By bringing the government, academics, policy makers and civil society to the table, it was believed that new opportunities would arise for cooperation and respect among the different stakeholders in the country.

During the inception of the idea of hosting a post-UPR conference at Addis Ababa University, *UPR Info* and the Law School agreed on two major objectives: to raise awareness among all stakeholders about the UPR process and to lay the foundation for stakeholders' sustained engagement with the implementation of the UPR recommendations. This post-UPR session conference was convened in order to build on the transparent and participatory approach of the Ethiopian delegation. Through the conference, all stakeholders were presented with a summarization of the proceedings from various angles and the resulting recommendations accepted by Ethiopia.

Following an explanation of the two-cycle UPR process and its benefits by Mr. Roland Chauville of *UPR Info*, Mr. Mitiku Mekonnen of the Ethiopian Human Rights Commission (EHRC) reflected on the role of the national human rights institution and EHRC's experience. Conference panelists then categorized the specific recommendations provided to and accepted by Ethiopia, and Mr. Abdi Jibril Ali discussed the country's legal and institutional frameworks and the progress achieved through the National Human Rights Action Plan (NHRAP).

The following report provides details of the presentations and recommendations for the Way Forward.

2. The Two-cycle UPR Process and Lessons Learned: Global Context

Mr. Roland Chauville – Executive Director, UPR Info

UPR Info presented an overview of the UPR process so far, its achievements and challenges, together with a collection of best practices.

In introduction, Roland Chauville recalled the main elements that constitute the UPR. Firstly, the mechanism is cooperative. All stakeholders, governments and members of civil society should move away from confrontation to promote dialogue and work together to improve human rights. Secondly, the UPR is based on equal treatment. All countries are being reviewed with the same frequency, and on the same basis. Three hours is allocated for each State, from small islands to UN Security Council permanent members. Thirdly, the UPR is inclusive, as all parts of society should be involved, including media, academics, and parliamentarians. Fourthly, the UPR is predictable. Dates of reviews are known far in advance, and this enables stakeholders to effectively plan and prepare accordingly. Emphasis was also put on what the UPR was not. In order to use the mechanism efficiently, it was said to be important to know what not to expect, such as a condemnation of the government under review or an immediate reaction to an urgent situation.

In an overview of the mechanism, some key figures of the UPR since its inception in 2008 were shared. There has been a steady increase in the number of recommendations that each country has received: from 26 in 2008 to 202 in 2014. The five main issues raised in sessions 1 to 19 have been “international instruments” (7,810 recommendations); women’s rights (6,952); rights of the child (6,553); justice (2,950); and torture and other cruel, inhuman or degrading treatment (2,898). Fifty mid-term reports were submitted during the first UPR cycle and six in the second cycle so far.

In the first seven years of the UPR, its achievements have been witnessed at various levels. At the international level, the UPR has succeeded in putting human rights at the forefront of the UN agenda. It has also ensured universality in terms of countries being reviewed and issues being discussed. Indeed, the UPR has covered the 193 UN member States and issues ranging from civil and political rights to economic, social and political rights; from justice, torture and the death penalty to the right to education, land and health. At the national level, the UPR has strengthened interaction within the government (among the ministries), between governments and their civil societies, and within CSOs. In terms of the concrete impact of the mechanism on the floor, in a recent publication by *UPR Info*, it was demonstrated that 48% of recommendations had triggered action after three years (18% were fully implemented, 30% were partially implemented). Another important fact is that 19% of “noted” recommendations had also triggered action at mid-term. These figures are positive and demonstrate that the UPR is having an impact on the ground. They should be used to encourage all stakeholders to invest time and resources in the process.

Four challenges were identified in the presentation. Firstly, recommendations lack specificity. Only 33% of the 38,298 recommendations made in sessions 1 through 19 were specific. Secondly, no follow-up mechanism exists to independently monitor and assess the efforts made by States to implement recommendations. This gap prevents the mechanism from building on its progress from one cycle to another, and strengthening accountability. Thirdly, there is no definition of the concept of “persistent non-cooperation” as included in the founding text of the UPR, HRC Resolution A/HRC/RES/5/1. Defining

this concept, and notably measures to counter such phenomena when they occur, would enable the HRC to strengthen accountability and increase implementation levels. Fourthly, little resources are available for CSOs to engage in the process, and specifically to work on the implementation of recommendations. While States can benefit from the UPR Voluntary Fund for Financial and Technical Assistance, no such fund exists to support CSOs' work.

Finally, some best practices were shared for effective engagement in the process by States, CSOs universities and law schools. For States, one best practice was to implement recommendations that were noted. As demonstrated earlier, an average of 19% of "noted" recommendations do trigger action from governments. For example, Kenya, which had initially noted a recommendation to introduce in its national legislation the definition of torture, eventually implemented it. In relation to CSOs, the concept of the "3Cs," developed by *UPR Info*, was shared: coordination, collaboration and communication. Coordination is to take place within civil society. Collaboration is with the government, the national human rights institution (NHRI), and the recommending States. And communication is about sharing the impact of the UPR through mid-term reporting. As

for law schools and universities, their contribution to the UPR is unique. They can monitor the implementation of recommendations due to their resources (students), their legal expertise and their presence in the various regions of a country. Universities can also play the role of facilitator by bringing together the government, CSOs and the NHRI to discuss the UPR in a non-confrontational way.

Good practices for cooperation between governments and CSOs were also shared. Firstly, there should be consultations on the follow-up, according to Resolution A/HRC/RES/5/1. In the Democratic Republic of Congo, a one-day event to develop an implementation plan was organized for all actors and attended by 100 participants, including the government, CSOs, the Office of the High Commissioner for Human Rights, parliamentarians and media. In Mozambique, a "national debriefing seminar" took place. Another good practice shared was the inclusion of CSOs in the inter-institutional committee established to plan the implementation of human rights recommendations. In Côte d'Ivoire, Mauritius and Swaziland, such committees were set up and involved a variety of stakeholders comprising ministries, civil society, and UN agencies.

3. Reflection of the Two-Cycle UPR Process: Ethiopian Human Rights Commission

*Mr. Mitiku Mekonnen – Human Rights Protection & Monitoring
Directorate Director, Ethiopian Human Rights Commission (EHRC)*

Mr. Mitiku stated that UPR is a recent mechanism which came about as a result of the UN General Assembly resolution to establish the HRC, which replaced the Commission in 2006. This idea came out of a consensus that a cooperative approach is better to ensure protection and promotion of human rights. It minimizes the politicization of recommendations about human rights, as it comes as support for the State under Review. The UPR process is more of an inward looking self-diagnosis. It requires states to make suggestions and allows them to claim support from the international community if they are in need. To this end, support for implementation of the recommendations is made available in the form of the UPR Trust Fund to facilitate follow-up.

Research findings suggest that many states have taken steps to implement UPR recommendations, with better results than any mechanism of human right monitoring. Likewise, Ethiopia has taken some steps, including adoption of the NHRAP. Of course, UPR requires participation of all stakeholders at all stages, from preparation of reports to implementation of recommendations. It also provides the opportunity to learn best practices. And it is attended by high-level delegations, thereby indicating a high level of commitment. At this juncture, it is important to remind ourselves of the observation on the part of Mr. Minelik Alemu, Ethiopia’s Permanent Representative to the UN Office in Geneva, who is quoted as saying that Ethiopia’s “high-level commitment to the process would expedite [the recommendations’] implementation, in collaboration with civil society.”

Looking at the recommendations given to Ethiopia, one can see that they came from friendly states. Thus there is support for the idea that UPR is a cooperative system of promoting and protecting human

rights. We now have organized documentation of the reports and views of stakeholders, which may be used by any interested party. The system has a follow-up process to identify the steps that have been taken to implement the recommendations. As a result, states take UPR more seriously than other state reporting procedures.

In the second cycle of the UPR process in 2014, Ethiopia has been encouraged to continue its efforts for the promotion and realization of human rights, and the international community was called upon to support the country in this effort.

There are official/consolidated documents for follow-up action on the recommendations. These are mostly concerned with ratifying treaties and strengthening the EHRC. The process has its own international monitoring mechanisms and follow-up, and subsequent reviews will focus on implementation. The international community shall assist (HRC Res 5/1(3/f)-07). There is also technical support from the Office of the High Commissioner for Human Rights (OHCHR). In the first cycle of the UPR process in 2009, Ethiopia accepted 98 out of a total of 142 recommendations. In the second cycle of the UPR process in 2014, Ethiopia accepted 188 of the recommendations out of a total of 252. These figures clearly demonstrate that the country has accepted a great number—and an increasing number—of recommendations through the UPR process.

3.1 The Role of the Ethiopian Human Rights Commission (EHRC)

The government is primarily responsible for reporting, implementing and following up on the UPR recommendations. The EHRC’s role in promoting and protecting human rights at the national level square-

ly fits with the objectives of the UPR (Res 5/1-07). The EHRC also acts as a bridge between the national and international human rights protection systems.

As a national human rights institution, the EHRC plays important roles at all stages of the UPR process—prior to the review, during the review and after the review.

Prior to Review: The EHRC plays a pivotal role in engaging stakeholders, including academicians and members of the government, in tracing progress and preparing various reports for the Geneva-based mechanism. This involvement is instrumental because it provides input for the national report, which in turn can be used as a source to verify information. Other stakeholders can also play a role in highlighting progress and challenges by compiling reports. The mandate of the EHRC includes reporting on national situations, encouraging broad national consultations, and raising awareness around human rights. Thus the EHRC takes part in the preparation of the report submitted to the HRC.

During Review: National human rights institutions have observer status at the HRC. The institutions will take note of the recommendations and support their implementation. Accordingly, in the course of the review process, the EHRC considered and took note of the responses/recommendations.

Post-Review: The EHRC works in conjunction with the Ministry of Foreign Affairs (MOFA) in preparing the report and translating the recommendations into local languages. The EHRC has made attempts to publicize the recommendations. It is also involved in the monitoring of implementation of the recommendations. The EHRC has been instrumental in assisting in the preparation of the NHRAP (2013-2015) and plans to facilitate a forum to allow the government, in its efforts to prepare the second NHRAP, to develop concrete, targeted and time-bound strategies to successfully implement UPR recommendations. It also advises the government as to how it should go about implementing the recommendations and raises awareness about them among members of the House of Peoples' Representatives.

3.2 Summary of the Recommendations to Ethiopia

Many of the recommendations made to Ethiopia revolve around the following issues:

- Ratification of treaties including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT), and the Kampala Convention;
- Protection of women's and children's rights; protection of the family unit; promotion of equality; non-discrimination; prevention and response to trafficking and rehabilitation of victims; prevention of harmful traditional practices, particularly child marriage and corporal punishment; promotion of the rights of women to participation, decision-making, education and health;
- Implementation and monitoring of the NHRAP and the Growth and Transformation Plan (GTP);
- Creation of an enabling environment for civil society's participation;
- Strengthening of the role and mandate of national human rights institutions, including the EHRC and democratic institutions;
- Protection of the environment;
- Strengthening of cooperation with the international community, particularly mandate holders such as the Special Rapporteurs on the right to education, the right to food, and violence against women;
- Acceleration of poverty reduction and development of pro-poor policy with regard to food, jobs, health care, and free education;
- Promotion and protection of the rights of the vulnerable, including persons living with HIV and disabilities, particularly with regard to intolerance and racial discrimination;
- Dialogue on pluralism (ethnic, religious);
- Awareness creation about human rights;
- Respect for freedom of opinion, expression and association (journalists, media, human rights defenders, politicians);

- Review and repeal of legislation considered to be incompatible with freedom of expression;
- Administration of fair elections (civic education, parties' access to media);
- Improvement of prison conditions, access to foreign detainees, access to independent observers;
- Promotion of vital events registration for all, including refugee children, internally displaced persons (IDPs), and migrants;
- Taking action on terrorism (local and regional) with due respect for human rights.

3.3 Assessment of the possibility of implementation of the Recommendations

Although challenges remain in the implementation of the recommendations, as indicated by the review compiled by *UPR Info* in connection with the first cycle of the UPR process, there are also noteworthy achievements in terms of putting infrastructure in

place, particularly with the ratification of treaties and the creation of policies, laws and institutions. These include the adoption and implementation of the NHRAP and preparation towards the formulation and adoption of the subsequent NHRAP II. One of the steps taken towards implementation is the incorporation of recommendations in the NHRAP. The NHRAP identifies challenges and provides measureable actions, timeframes, and responsible bodies. As the country is currently preparing for a second NHRAP, it appears that the accepted UPR recommendations will be accommodated in the process. However, certain challenges remain. These include the fact that the recommendations are vague, lack follow-up and provide insufficient information about the progress made and the state's lack of capacity to perform certain action points.

In conclusion, UPR is a very important system to promote and protect human rights, and the EHRC will continue to play a crucial role in this endeavor.

4. Ethiopia's UPR Accepted Recommendations

*Mr. Reta Alemu – Director General, International Legal Affairs,
Ministry of Foreign Affairs*

Mr. Reta Alemu expressed that UPR is a unique and significant review mechanism introduced by the HRC. In the past, presentations and discussions took different perspectives. Now, best practices from different states around the globe are presented. This helps member states to take lessons from states with best practices.

Ethiopia has submitted its national UPR reports for both cycles thus far. Many recommendations have been forwarded by different states in the course of the reviews. Some of these recommendations have been accepted and some have been noted. The accepted UPR recommendations have been translated into local languages and circulated to concerned institutions. With regard to the mechanism of implementation of the accepted UPR recommendations, the government has introduced a NHRAP. Ethiopia took measures to advance the NHRAP, which addresses human rights issues in a comprehensive way, ahead of the preparation of the second cycle report. This document contains the respective roles and responsibilities of a wide range of institutions, legislative, and judicial mechanisms for the implementation of human rights obligations.

The government has organized a national workshop and held discussions with relevant stakeholders with a view to preparing the second report. After taking into consideration the suggestions of the stakeholders, a second workshop has been held with the objective of enriching the report. Mr. Reta mentioned that the government of Ethiopia has also engaged the services of international consultants to facilitate the process.

Ethiopia presented the second report on January 14, 2014. The report emphasizes what has been

undertaken to implement the previous recommendations. In line with this, the National Consultative Committee is still working on ways to implement the accepted UPR recommendations. The Committee establishes whether or not there are irregularities in implementing the recommendations which touch upon civil and political rights; economic, social and cultural rights; and rights of women and children. The recommendations have been publicized and the government is working on preparing a workshop to ensure their implementation. The National Consultative Committee deems it necessary to conduct consultations with a wide range of stakeholders.

In addition to the NHRAP, the first phase of the GTP incorporates human rights promotion and protection under its chapters on good governance and social justice reforms. This indicates the attention accorded to the observance of human rights in Ethiopia. Ethiopia has employed a rights-based approach to development, as reflected in its policies to encourage production and productivity in agriculture and other fields. Moreover, the government has been spearheading various initiatives to promote human rights, including the adoption of a Criminal Justice Policy, the drafting of the second phase of the NHRAP, and the enactment of legislation necessary for the realization of human rights, including the promulgation of the Proclamation on the Registration of Vital Events and National Identity Card. Apart from this, the government has established institutions for the protection and promotion of human rights and has been working to strengthen these institutions. Mr. Reta also mentioned that Ethiopia has ratified most of the core human rights treaties and submitted the periodic reports.

5. Panelists – Clusters (Snapshot of the presentation and analysis)

5.1 Thematic Cluster: Accepted UPR Recommendations for Ethiopia: Civil and Political Rights

Dr. Getachew Assefa (Associate Professor, Addis Ababa University, College of Law and Governance Studies)

As indicated in the title, this presentation focuses on introducing accepted UPR recommendations made for Ethiopia relating to civil and political rights. It also considers how these accepted recommendations may be implemented. The discussion concerning implementation is based upon the NHRAP (2013–2015), which was prepared after the first cycle of UPR in 2009. The discussion also touches on some of the challenges relating to implementation of these action points.

The objective of the NHRAP is “to develop a comprehensive and structured mechanism to advance the respect, protection and fulfillment of human and democratic rights guaranteed by the Constitution.”

A total of 252 recommendations were given by various participating states during the second cycle of the UPR process in 2014. Out of the 252 recommendations, Ethiopia accepted 188. About 47 of these accepted recommendations relate to the broad category of civil and political rights. For the sake of easy reference, the recommendations have been categorized into six headings as follows:

- Protection against torture and other cruel, inhuman or degrading treatment or punishment and the rights of persons in custody or detention;
- Administration of justice and rule of law;
- Freedom of expression, association, and peaceful assembly and the right to participate in public and political life;

- Freedom of religion, belief and opinion;
- Counter-terrorism and human rights;
- Minority rights.

5.1.1 Protection against torture and other cruel, inhuman or degrading treatment or punishment and the rights of persons in custody or detention

The recommendations in this category comprise action points relating to proper definition and criminalization of torture; measures for prevention of the occurrence of torture and ill-treatment, including establishment of independent mechanism for doing so, and of complaints mechanisms for victims and for the improvement of conditions of prison and of prisoners. Accepted UPR Recommendations N° 155.68 and 155.69 relate to proper definition and criminalization of torture. Recommendations N° 157.10, 155.70, 155.71, and 155.72 pertain to measures for the prevention of the occurrence of torture and ill-treatment.

With regard to implementation, Ethiopia counts recommendation number 156.1 among those which it considers to have already been implemented or which is in the process of being implemented, although the recommendation enjoys the support of the country. The NHRAP, in the scheme of activities aimed at ensuring the right of the security of the person and prohibition against inhuman treatment, as well as the protection of the human rights of persons arrested, held in custody and convicted, provides for mechanisms of implementation of these recommendations and the institutions in charge of their implementation. The Constitution and other domestic and international laws provide the legal framework for protecting these rights. Institutionally, courts of law,

regional and federal police commissions, ministries and bureaus of justice are given powers to prevent acts of inhuman treatment, carry out effective investigations when these acts are committed and punishment when they have occurred. Administratively, regulations have been issued that make commission of acts of torture, cruel, inhuman and degrading treatment by members of the police, prison administration staff and national defense forces serious disciplinary breaches. The education curricula of these institutions have incorporated the right to security of the person and prohibition against inhuman treatment. Ethics and disciplinary committees have been established with the police commissions to investigate cases of violations. Regular visits are undertaken by prosecutors and senior police officers to ensure respect for rights of persons under detention. There is also practice of the provision of free legal aid services for needy prisoners. In connection with recommendations numbered 155.71 and 155.72, the NHRAP states that the government has issued regulations on the human rights of persons held in custody in prisons throughout the country.

Be that as it may, the NHRAP notes that despite all the legal, administrative and institutional measures and efforts, “occasional human rights violations are committed by some police officers due to lack of awareness.” It also notes that prisons are not sufficiently organized to ensure the rehabilitation of prisoners, and that there is inadequate quality and a lack of universal formal technical and vocational education provided for prisoners; a lack of health services, clean water for drinking and sanitation, and other necessary provisions; and that there is congestion in some prisons.

The NHRAP shows that measures are planned to address the outstanding challenges. These measures include:

- Revision of the existing rules on the use of force by the police; further measures to strengthen the accountability of the police shall be taken (Implementing Institutions: MOFA, and Ministry and Bureaus of Justice);
- Allowing and/or enabling persons in custody to make, as appropriate, telephone calls or send messages to members of their family, their legal

and religious counselors, or any other person of their choice immediately after arrest (Implementing Institutions: Police Commissions, Ministry and Bureaus of Justice);

- Provision of clean water for drinking and sanitation in all prisons; expansion of quality formal and vocational education offered in prisons; expansion of health services in prisons (Implementing Institutions: federal/regional prison administrations; Ministry and Bureaus of Education; Ministry and relevant regional/city administration bureaus);
- Provision of trainings on relevant areas will continue to be offered by the above-mentioned bodies as well as by the Training Institutions of Justice organs and by the EHRC.

The task of monitoring and evaluating the performance of the aforementioned action points by the designated duty bearers is vested with the MOFA, the Ministry of Justice, and also regional and city administration Bureaus of Justice and Security Affairs. However, the NHRAP is silent with regard to the recommendations relating to the definition of “torture” in the criminal law of the country.

5.1.2 Administration of justice and the rule of law

The UPR recommendations pertaining to administration of justice and the rule of law accepted by Ethiopia include recommendations N° 155.91, 155.92 and 157.12. The NHRAP addresses these recommendations in the context of, among other things, the rights of persons arrested, persons held in custody, and accused and convicted persons. It shows that the rights of these persons are guaranteed in the Ethiopian Constitution as well as in other domestic laws and in treaties and soft law instruments ratified/adopted by Ethiopia.

The NHRAP outlines the measures being taken for implementation of these recommendations. These measures include:

- Justice sector reform program to build an effective and efficient justice sector capable of ensuring the rule of law;
- Federal Courts Reform Program, 2008–2015, underway to ensure the fair, effective, efficient and equitable adjudication of cases;

- Establishment of offices of public defenders in federal and regional courts, as well as assignment of private advocates to render pro bono services for litigants who are unable to pay for legal services;
- Building the capacity of police, prison administrations, courts of law, and the Ministry and Bureaus of Justice through relevant training and other means such as information technology;
- Business process reengineering to shorten the time that the criminal justice process takes from start to finish;
- Issuance of a sentencing manual by the federal Supreme Court, enforced throughout the nation, which has improved the predictability and fairness of sentencing of offenders;
- Preparation by the federal courts to introduce a “pre-trial conference” system to enable accused persons to have full access to any evidence presented by prosecutors against them;
- Making the rights of persons part of the curricula of relevant law enforcement personnel;
- Devising alternative mechanisms of punishment;
- Respecting the rights of persons to seek pardon;
- Providing three meals a day in all prisons;
- Implementing strong punitive disciplinary measures against police and prison staff who violate the rights of prisoners;
- Provision of free legal aid for needy prisoners;
- Regular prison visits by the Ministry of Justice, House of Peoples’ Representatives, and their state counterparts, as well as the EHRC, to monitor the situation of prisoners and make recommendations for improvement.

The NHRAP acknowledges that despite the aforementioned measures, challenges and problems exist in the implementation of these rights, including:

- Measures taken in relation to the Business Processing Reengineering programme outlined above have not been supported by necessary legal changes;
- Insufficient number of judges in various courts;
- Public defenders are not available in the lower courts;
- The number of public defenders is insufficient and the pro bono scheme has not been fully implemented;
- Auxiliary services such as psychiatric examination are inadequate and totally absent in certain regions, causing huge delays in criminal proceedings;
- Free legal aid service for eligible persons begins when the case of the arrestee reaches court, and the protection of these persons’ rights before charges have been filed remains a challenge;
- Arresting police officers fail to inform arrestees of their procedural rights, such as the right to remain silent;
- The shortage of accessory services, such as post-mortem examination centers, creates delays in the criminal process.

Therefore, the NHRAP has set out a plan for measures that should be undertaken to remedy these challenges. These include:

- Increasing the number of judges and prosecutors and giving them training on new and existing laws (Implementers: Federal and Regional Supreme Courts; Ministry and regional Bureaus of Justice; Justice Organs Professionals Training Centers);
- Setting timeframes within which criminal investigations shall be completed (Implementer: Ministry of Justice);
- Free legal aid for needy persons under custody before police interview/interrogation (Implementers: Ministry of Justice and regional/city administration Bureaus; prison administrations; supreme courts; EHRC);
- Increasing the number of public defenders in federal and regional supreme and high courts, and establishing the service at the first instance courts (Implementers: Federal and regional Supreme Courts);
- Continue taking actions to ensure the independence and accountability of courts (Implementers: Federal and regional Supreme Courts);
- Standardizing the rendition of pro bono services by private attorneys (Implementers: Ministry of Justice and regional/city administration Bureaus);
- Requiring police officers to inform persons arrested on suspicion of having committed a criminal offense promptly of their procedural rights, such as the reasons for their arrest and any charges against them, their right to remain silent, etc., and

making such duties part of police ethics regulations, and giving appropriate trainings on these matters (Implementers: Council of Ministers; Council of Regional Administrations; Federal, City Administration and Regional Police Commissions, Ethiopian Human Rights Commission; Ministry of Justice);

- Increasing the number of auxiliary service providing institutions in all parts of the country (Implementers: Ministry of Health; Ministry of Education; Ministry of Justice; Federal Police Commission; Federal Prisons Administration).

5.1.3 Freedom of expression, association, and peaceful assembly, and the right to participate in public and political life

Accepted UPR Recommendations relating to freedom of expression, association, and peaceful assembly, and the right to participate in public and political life include recommendations N° 155.37, 155.40, 155.41, 155.42, 155.43, 155.105, 155.106, 155.107, 155.108, 155.116, 156.5, 156.6, 155.109, 155.110, 155.111, and 155.115.

Recommendations N° 155.37, 155.40, 155.41, 155.42 and 155.43 relate to civil society matters. These recommendations require Ethiopia to establish mechanisms for and engage civil society participation at all levels in the process of implementation and monitoring of NHRAP, and to raise awareness about prevention of human rights violations and about relevant laws and policies. Recommendations N° 155.105, 155.106, 155.107, 155.108, 155.116, 156.5 and 156.6 require Ethiopia to take various steps, including review of legislation, to ensure freedom of expression, association and assembly of individuals, journalists and media workers, as well as political opposition, as per Article 19 of the ICCPR. Recommendations N° 155.109, 155.110 and 155.111 require Ethiopia to strengthen various grassroots member-based and member-driven civil society organizations. Recommendations N° 155.115 and 157.14 relate to the 2015 elections.

5.1.4 The right to freedom of thought, opinion and expression

The NHRAP—in dealing with the right to freedom of thought, opinion and expression; freedom of association; and freedom of religion and belief—states that these rights are guaranteed by the federal Constitution and many other domestic laws, as well as treaties and international instruments adopted by Ethiopia. It states that for the implementation of the right to freedom of thought, opinion and expression, the Government has established the Broadcast Authority and Office of Government Communications. It also states that mechanisms are in place to facilitate the operations of the print and broadcast media, and that efforts are being made to diversify broadcast services in local as well as international languages. Laws have made government mass media accountable as appropriate to federal or regional legislatures. The NHRAP reiterates that defamation against constitutionally established legislative, executive and judicial organs of government may be prosecuted, with close observation that the law in this regard does not impinge upon the freedom of expression.

With regard to problems and challenges of implementation relating to the right to freedom of thought, opinion and expression, the NHRAP notes the long delay in the enactment of laws and systems required for the implementation of the Proclamation on the Mass Media and Access to Information; the absence of legal regulation of hate speech; the fact that the truthfulness of a statement is no defense against the crime of defamation; the lack of diversity of broadcast media and quality internet services; and inadequate media services for people with disabilities.

The NHRAP provides various action points to address the outstanding challenges. The planned measures include:

- Adoption of implementing legislation for the Mass Media and Access to Information Proclamation (Implementer: Institute of Ombudsman; Office of Government Communication Affairs; Council of Ministers; all government offices);
- Expansion of the coverage of various mass media services (Implementer: Broadcasting Authority, Office of Government Communication Affairs);

- Government provision of necessary support for the establishment of a Press Council for the ethical and professional self-regulation of the mass media (Implementer: Office of Government Communication Affairs);
- Government provision of the necessary conditions to draft and adopt laws to regulate hate speech and defamation (Implementer: Office of Government Communication Affairs; Ministry of Justice; House of Peoples' Representatives);
- The existing crime of defamation will be revised to include the defense of truth of statement (Implementer: Government Communication Affairs Office; Ministry of Justice; House of Peoples' Representatives).

The NHRAP vests the task of monitoring and evaluation of the aforementioned action points in various organs. In this regard, the primary duty bearers are the Office of the Government Communication Affairs; and the Regional States and City Administrations' Communication Offices. In addition, there are organs responsible for monitoring and evaluation, including the Ministry of Justice; the Ministry of Education; Federal and Regional State Supreme Courts; Institute of Ombudsman; the EHRC; the Council of Ministers; the House of Peoples' Representatives; and Regional States Councils. Nevertheless, the NHRAP does not seem to fully attend to the accepted UPR recommendations in the area of freedom of thought, opinion and expression noted above.

5.1.5 The Right to Freedom of Association

The NHRAP states that freedom of association is guaranteed in the Constitution, international instruments adopted by Ethiopia, and many domestic laws, including the Charities and Societies Proclamation (N° 621/2009) and the Political Parties Registration Proclamation (N° 573/2007). It also states that implementing institutions such as the Federal Charities and Societies Agency; Federal and City Administration Cooperative Societies Agency/Bureaus; Micro and Small-scale Enterprises Development Agency/Commission; Ministry and Bureaus of Trade; National Election Board and Branch Offices and Ministry of Federal Affairs have been established. The NHRAP asserts that the Charities and Societies Proclamation

was enacted, among other reasons, to ensure better application of the freedom of association enshrined in the Constitution.

The NHRAP takes note of the fact that one of the challenges to implementation of the legislation concerning the right to freedom of association is the non-existence of broad-based civil society organizations. The NHRAP specifies measures which are planned to address this problem. These include:

Supporting and strengthening Ethiopian societies, particularly mass-based associations (Implementers: Charities and Societies Agency; Sector Administrators; Regional State Bureaus)

The development of a clear operational system for charities and societies in cooperation with the concerned Regional states. This will be set in place in the Regions (Implementers: Ministry of Federal Affairs; Charities and Societies Agency; Regional States Councils; Regional/City Administration Justice Bureaus; Appropriate Regional Bureaus).

The Charities and Societies Agency is the lead organ responsible for monitoring and evaluation. In addition, other organs are responsible, including the Ministry and Bureaus of Justice, National Election Board, Ministry of Federal Affairs, House of Peoples' Representatives, and the Regional State Councils.

Nevertheless, as it stands now, the NHRAP's contents with regard to the freedom of association do not seem to address some of the recommendations. For example, civil society organizations have not been included in the monitoring of the implementation of freedom of association.

5.1.6 Freedom of religion, belief and opinion, and minorities

Accepted UPR Recommendations concerning freedom of religion, belief and opinion, and minorities, include recommendations N° 155.100, 155.101, 155.102 and 155.103. In this regard, the NHRAP states that the Ethiopian Constitution guarantees the right to freedom of religion, belief and opinion, while the treaties and soft law Ethiopia has adopted also secure this right. Institutionally, the Ministry of Federal Affairs has been given the authority to ensure peace and harmony among followers of diverse religions and beliefs and to prevent conflicts. Also, a

National Council of Religions has been established to keep inter-faith peace and harmony. In addition, the NHRAP states that various awareness creation activities have been carried out to reinforce mutual and traditional respect and religious tolerance among citizens.

Some of the problems and challenges of implementation of these rights include religious extremism and the politicization of belief, as well as the absence of an up-to-date law for the registration and regulation of religious organizations and associations. Thus the NHRAP outlines some of the measures planned to address these issues, including:

- Inclusion in educational and training curricula of inter-religious respect and tolerance (Implementer: MOFA, Ministry of Education, Ministry of Justice, EHRC);
- Adoption of a law consistent with the Constitution on the registration and regulation of religious organizations and associations, together with a directive providing for registration procedure. The NHRAP states that religious institutions will be invited to provide input into the preparation of the relevant laws (Implementers: MOFA, Council of Ministers, and Ministry of Justice).

The task of monitoring and evaluation of the implementation of these tasks is vested in the MOFA. Others include the House of Peoples' Representatives, the Council of Ministers, the justice organs, and the EHRC.

The NHRAP does not directly address the following set of recommendations from the UPR process, although Ethiopia has accepted them. Therefore fresh ways of implementing these recommendations have to be worked out.

5.1.7 Counter-terrorism and human rights

Some of the UPR recommendations for Ethiopia relate to counter-terrorism and human rights. These include recommendations N° 155.162 and 155.163.

5.1.8 Minority rights

UPR recommendations N° 155.112, 155.113, 155.64, 155.66, 155.6 and 155.114 relate to minority rights in Ethiopia.

5.2 Thematic Cluster: The Implementation of Ethiopia Accepted UPR Recommendations: Economic, Social and Cultural Rights

Mr. Yonas Birmeta (Lecturer, Addis Ababa University, College of Law and Governance Studies, School of Law)

This presentation focused on the nature of economic, social and cultural rights; UPR recommendations to Ethiopia concerning this set of rights in general; and also UPR recommendations relating to a secondary thematic grouping of specific economic, social and cultural rights and implementation of the accepted recommendations.

Economic, social and cultural rights are a category of human rights that aim to protect, maintain and advance the fulfillment of basic human needs, determinants of quality of life and cultural values that are consistent with the dignity of human beings as individuals as well as groups. These rights are enshrined in various key international and regional instruments, including the Universal Declaration of Human Rights (UDHR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD), and the African Charter on the Human and Peoples' Rights (ACHPR).

These instruments affirm many economic, social and cultural rights, including the right to self-determination; the right to equality for men and women; the right to work and to favorable conditions of work; the right to form and join trade unions; the right to social security; the right to the protection of the family, mothers and children; the right to an adequate standard of living, including food, water, shelter and clothing; the right to the highest attainable level of health and health care; the right to education; the right to free and compulsory primary education; the right to take part in cultural life and benefit from scientific progress; and the right to benefit from the pro-

tection of scientific, literary, or artistic production of which one beneficiary is the author.

The FDRE Constitution employs a two-pronged approach to protect this set of rights. First, economic, social and cultural rights are affirmed under certain provisions in the Third Chapter of the Constitution, dealing with human and democratic rights. Articles 41–43 of the Constitution affirm this set of rights while Articles 89, 90 and 91, which constitute the Directives and Principles of State Policies (DPSP) part of the FDRE Constitution, also recognize these rights as aspirations and goals. Apart from the fact that Ethiopia is a State Party to many of the international human rights instruments that affirm economic, social and cultural rights, this set of rights is also affirmed in the country’s NHRAP.

Several of the UPR recommendations made for Ethiopia relate to these rights. It is possible to approach these recommendations from two angles. First, there are recommendations that pertain to the gamut of rights we call economic, social and cultural rights in general. Second, it is also possible to apply secondary clustering of these recommendations by identifying sub-categories of specific economic, social and cultural rights.

Recommendations N° 155.33, 155.125, 155.130 and 155.166 fall within the ambit of recommendations relating to economic, social and cultural rights in general.

The secondary thematic grouping of UPR recommendations for Ethiopia are clustered around the following issues:

- Poverty and Development;
- The Right to an Adequate Standard of Living (the right to adequate food, the right to water and the right to housing and clothing);
- The Right to Health;
- The Right to Education;
- The Right to Work;
- The Right to Social Security.

The UPR recommendations that relate to poverty and development include recommendations N° 155.123, 155.124, 155.126, 155.127, 155.128, 155.129, 155.130, 155.131 and 155.167.

The other set of UPR recommendations pertain to the right to an adequate standard of living, which includes the rights to food, water, sanitation and adequate housing. The list of the recommendations that fall into this secondary clustering include recommendations N° 155.132, 155.133 and 155.134.

Recommendations N° 155.136, 155.137, 155.139, 155.140, 155.141, 155.142, 155.143, 155.152 and 155.157 relate to the right to health. Recommendations N° 155.142, 155.144, 155.145, 155.146, 155.147, 155.148, 155.149, 155.150 and 155.151 concern the measures to ensure the fulfillment of the right to education. Recommendations N° 155.121, 155.122 and 155.168 call for the realization of the right to work. Finally, some of the recommendations relating to the right to social security include N° 155.135 and 155.138.

5.2.1 Action Categories

It has become customary to categorize UPR recommendation into five different groups, following the influential study of E. McMahon, who categorized recommendations by level of action.¹

- Minimal Actions (Action Category 1): seeking assistance or sharing information, requesting financial or other types of assistance;
- Continuing Actions (Action Category 2): suggesting continuation of current efforts;
- Considering Actions (Action Category 3): invitations to change or review actions;
- General Actions (Action Category 4): suggestions to “take measures” or “promote”;
- Specific Actions (Action Category 5): suggesting a specific measure.

When the UPR recommendations made for Ethiopia are analyzed in this way, the majority of accepted recommendations fall within the categories of Continuing or General Actions. Thus, many of the recommendation relating to economic, social and cultural rights are those which suggest continuing the existing course of action. This explains why Ethiopia’s level of acceptance of the recommendations on ESC rights is high.

¹ Edward McMahon and Roland Chauville, UPR Recommendations Database, *UPR Info*, <http://www.upr-info.org/database>

5.2.2 Implementation Modalities

Having identified the accepted UPR recommendations relating to economic, social and cultural rights, the next concern should be how to ensure their implementation. In this regard Ethiopia has the margin of discretion to determine the means which it deems best suited to that effort. It is, however, clear that there is a need for a stronger national human rights protection system for their implementation. It is also clear that the lack of a follow-up mechanism at the national level is a challenge to the effective implementation of the recommendations.

With regard to mechanisms essential to the UPR follow-up process, the following three recommendations should be highlighted:

- Establishment and strengthening of mechanisms to coordinate follow-up and implementation;
- Consultation with all stakeholders in planning, fulfilling and monitoring implementation to ensure the inclusive nature of the follow-up process;
- Development of a UPR-specific implementation plan or synchronization with the existing NHRAP.

The follow-up of the accepted UPR recommendations calls for a coordinating mechanism for implementation. A national monitoring body or government focal point needs to be sufficiently representative, as follow-up requires inclusive consultation with stakeholders. This implies that there is a need for a post-UPR briefing session with CSOs, and that Parliament has a role in the follow-up process through legislative processes, debates, supervision, and budgetary allocation. Moreover, an implementation plan should be drawn up. Still better, such a plan may be integrated with the existing or future NHRAP. Such a plan should include the following particulars:

- Dissemination of the Outcome Report and the UPR recommendations;
- Assessment of Shortfalls and Inequities;
- Adoption of an Integrated Approach so as to be able to implement the NHRAP and the recommendations of other Treaty Bodies, Special Rapporteurs and Thematic Procedures;
- Designation of Duty Bearers and Capacity Building and Technical Assistance;

- Identification of Implementation Partners at the National Level;
- Setting a Timeframe for Implementation;
- Follow-up and Evaluation Strategy for Implementation.

The dissemination of the Outcome Report and the UPR recommendations is important for the legal empowerment of right holders. The translation of UPR recommendations into different local vernaculars is also instrumental for this purpose.

It is believed that Ethiopia's NHRAP can serve as a vehicle for the implementation of accepted UPR recommendations. It can also serve for the implementation of the concluding observations of other human rights mechanisms, including CESCR, CEDAW, CRC and the Banjul Commission. This is evident as the third chapter of the NHRAP is devoted to the discussion of selected ESC rights, including the right to adequate food, the right to health, the right to education, the right to work, the right to adequate housing, the right to water, the right to social security, and cultural rights.

5.3 Thematic Cluster: Accepted UPR Recommendations for Ethiopia on Women and Children vis-à-vis NHRAP

Dr. Girmachew Alemu (Assistant Professor, Addis Ababa University, College of Law and Governance Studies, School of Law)

Some 71 recommendations have been given on different issues related to women and children, and 63 of these have been accepted by the Ethiopian government. This presentation focuses on recommendations made concerning women's and children's rights.

5.3.1 UPR Recommendations on Women's Rights

The recommendations concerning women's rights are clustered as Gender Based Violence (GBV), Non-discrimination, Maternal mortality, Trafficking in persons, and Ratification of international instruments.

Gender Based Violence (GBV)

The main focus of the recommendations in relation to GBV revolves around the following:

- Effective enforcement of the criminal code;
- Comprehensive assistance for GBV victims;
- Allocation of adequate resources;
- Awareness raising.

Recommendations N° 155.63, 155.73, 155.74 and 156.2 pertain to the issues stated above.

Non-discrimination

The recommendations relating to non-discrimination emphasize the need to enhance women’s employment, economic resources, education and participation in politics. These include recommendations N° 155.54, 155.55, 155.56, 155.57, 155.58, 155.59, 155.60, 155.61, 155.62, 155.64, 155.65, 155.66, 155.67, 155.117, 155.118, 155.119 and 155.20.

Maternal mortality

The recommendations in this cluster focus on the need to take measures to improve health services and to increase resources for health care. These include recommendations N° 155, 155.142 and 155.143.

Trafficking in persons

The accepted UPR recommendations related to prevention of trafficking in women call for measures to strengthen mechanisms of control and the enactment of specific legislation on the matter. These include recommendations N° 155.75, 155.86, 155.87, 155.88, 155.89 and 155.90.

Ratification of International instruments

There are recommendations calling for the ratification of the Optional Protocol to CEDAW. The noted Recommendation N° 158.3 on the part of Uruguay is a case in point.

5.3.2 UPR Recommendations on Children’s Rights

The UPR recommendations concerning children are further clustered into those related to violence against children (VAC), child mortality, primary education for children, protection of children in difficult circumstances and birth registration.

Violence against children

Some of the recommendations concerning the prevention of violence against children, particularly FGM and corporal punishment, include recommendations N° 155.32, 155.84, 155.85, 155.76, 155.77, 155.78, 155.79, 155.80, 155.81, 155.82, 155.83, 155.96 and 155.97.

Child mortality

Some of the recommendations in this cluster focus on the need to reduce child mortality. These include recommendations N° 155.136, 155.137, 155.139 and 155.140.

Primary education for children

The recommendations in this cluster focus on the need to provide free and compulsory education to all children. These include recommendations N° 155.144, 155.145, 155.146, 155.147, 155.148 and 155.149.

Protection for children in difficult situations

The recommendations in this category call for, among other things, provision of special protection to children in detention centers. These include recommendations N° 155.93, 155.155, 155.156 and 155.152.

Birth registration

The recommendations in this cluster call for the extension of birth registration services to all children born in Ethiopia, including those born in refugee camps. These include recommendations N° 155.98, 155.99 and 155.154.

The NHRAP and Rights of Women and Children

The NHRAP incorporates rights of women and children. With regard to GBV, the NHRAP provides that progress has been made regarding prevention of child marriage and FGM. However, it states that challenges remain due to lack of awareness about GBV and lack of specific legislation on sexual harassment. The NHRAP also mentions the adoption of improved policies to address discriminatory practices and attitudes. The Plan mentions that there has been an increase in budget allocation. However, it also underlines the fact that challenges remain due to the shortage of trained manpower and negative traditional attitudes. The Plan underlines the establishment of the National Council as a strong point. Nevertheless, it takes note of the fact that challenges remain

as action is not systematized. The Plan provides that preparation shall be made to ratify the Optional Protocol to the African Charter on Human and Peoples Rights on the Rights of Women (the Maputo Protocol).

With regard to the rights of children, the NHRAP mentions that CRC committees have been established at federal, regional and local levels to address violence against children. However, it provides that there is lack of awareness, harmful traditional practices and corporal punishment. In connection with reducing child mortality, the NHRAP provides that primary health care services have been expanded. However, it also mentions that challenges remain due to the shortage of health professionals and equipment. With regard to primary education, the NHRAP explains that free primary education has been expanded and there are an increasing number of enrolled students. However, it also mentions the poor quality of teachers. Regarding the protection of children in difficult situations, the NHRAP mentions that there are efforts to promote child-friendly justice approaches, including a system meant for children in conflict with the law. However, the Plan mentions the lack of suitable facilities for children in contact with the law among outstanding challenges. In connection with the national system of birth registration, the NHRAP provides that appropriate laws have been created to operationalize birth registration services. However, the Plan makes mention of the absence of institutions performing birth registration as another outstanding challenge.

5.4 Thematic Cluster: Accepted UPR Recommendations for Ethiopia: Legal and Institutional Frameworks

Mr. Abdi Jibril Ali (Assistant Professor, Addis Ababa University, College of Law and Governance Studies, School of Law)

This presentation focused on normative and institutional frameworks for the implementation of the different sets of rights discussed in the earlier sessions. In this regard, the presenter highlighted UPR recommendations for Ethiopia concerning international treaties, the implementation of the National Human Rights Action Plan (NHRAP), and institutions includ-

ing national human rights institutions, courts, civil society organizations, and law enforcement organs including prosecutors and the police.

5.4.1 Ratification of International Treaties

Ethiopia has accepted various recommendations to ratify international human rights instruments. These include recommendations N° 155.1, 155.2, 155.3, 155.4, 155.5, 155.6, 155.7, 155.8 and 155.9. Irrespective of the fact that Burkina Faso made a recommendation for Ethiopia to ratify ICERD, Ethiopia had already ratified the treaty on 23 June 1976, long ago. ICERD was the first major human rights treaty to be ratified by Ethiopia. There are recent developments concerning the other treaties which the recommendations related to. Ethiopia ratified the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict (OP-CRC-AC) on 14 May 2014. Ethiopia also ratified the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography on 25 March 2014. Ethiopia pledged to ratify ICMW when it submitted its candidature for the HRC to the General Assembly in 2012. The NHRAP also provides that ICMW is one of the conventions that the country plans to ratify. The NHRAP makes it clear that the ratification of ICMW is instrumental for the realization of the right to work. Moreover, the ratification of the Kampala Convention is underway.

The NHRAP submits a list of additional treaties for which there are plans for ratification. In relation to the right to work, the NHRAP prioritizes the ratification of the International Labour Organisation Convention N° 81 (1947) and N° 129 (1969). In connection with women's rights, NHRAP identifies the Maputo Protocol as planned for ratification. However, although Ethiopia signed the Maputo Protocol on June 1, 2004, it has not yet ratified the instrument. Regardless, it has been reporting to the African Commission on Human and Peoples' Rights as though it is ratified. The NHRAP particularly mentions the Hague Convention on the Protection of Children and Co-operation in respect of Inter-country Adoption as planned for ratification.

5.4.2 Dissemination of Information on International Norms and Standards

Ethiopia also accepted recommendations concerning dissemination of information on international norms and standards, specifically recommendations N° 155.31 and 155.34. In this regard, the NHRAP establishes procedures meant for the purpose of dissemination of information on international norms and standards. In particular, it provides for human rights education and partnership with donors and development partners as vehicles to achieve this objective.

5.4.3 National Human Rights Action Plan (NHRAP)

Ethiopia has also accepted many recommendations concerning the implementation of its NHRAP. These include recommendations N° 155.11, 155.13, 155.12, 155.14, 155.15 and 155.36. The NHRAP provides for its implementation by identifying institutions responsible for carrying out the action points indicated in the Plan, and those institutions responsible for coordinating and monitoring its implementation. The NHRAP has also provided for the procedures of implementation and the mechanisms of monitoring and evaluation.

5.4.4 National Human Rights Institutions

The EHRC was established by virtue of Proclamation 210/2000. The Ethiopian Institution of the Ombudsman was established by virtue of Proclamation 211/2000. In the first cycle of the UPR in 2009, Ethiopia accepted recommendations to strengthen these national human rights institutions and ensure that they comply with the Paris Principles. These recommendations included the following:

- A. 3. Formulate a National Plan of Action on human rights and strengthen the EHRC, for example, by assisting in opening regional offices and providing access to all detention centers (Canada);
- A. 4. Undertake efforts to ensure that EHRC complies with relevant international standards (India);
- A. 5. Strengthen the functions of EHRC and the Ombudsman to bring them into line with the Paris Principles (Ghana).

Accordingly, measures have been taken to improve the national human rights institutions. These measures included increasing the accessibility of these institutions through the opening of branch offices. In addition, measures have been taken to improve the confidence of the public in these institutions by increasing the number of cases submitted, among other things. In addition, increased resources have been made available to these institutions, including additional employees, budget and property.

Despite the fact that such measures have been taken to improve the national human rights institutions, an even higher number of states made various recommendations concerning these institutions in the second cycle of the UPR. The recent recommendations relating to the EHRC fall into two categories. First, there are recommendations which primarily focus on the need to strengthen the role, mandate and capacity of the EHRC. These include recommendations N° 155.19, 155.27, 155.20, 155.18 and 155.21.

The second category of the recommendations calls for Ethiopia to ensure the compliance of the EHRC with the Paris Principles. These include recommendations N° 155.23, 155.24 and 155.25.

On the other hand, the recommendations concerning the Ethiopian Institution of the Ombudsman highlight the need to strengthen the capacity of the institution. Recommendations N° 155.21 and 155.27 also apply to the Institution of the Ombudsman as noted above. Other related recommendations include recommendations N° 155.26 and 155.22.

These recommendations concerning the national human rights institutions have significant implications. In particular, there is a need to do more in terms of improving the capacity, independence and accessibility of these institutions. However, the NHRAP does not provide a roadmap for how to strengthen the institutions. Instead, the NHRAP specifies some of the action points that the institutions are expected to take. Thus, the EHRC should publicize the NHRAP, carry out the specific tasks assigned to it and provide support for other institutions, etc. The Ethiopian Institution of the Ombudsman is expected to carry out specific tasks to implement the right of access to information and to monitor other institutions, etc.

5.4.5 The Judiciary

Ethiopia accepted certain recommendations pertaining to the judiciary. These include recommendation N° 155.46.

In the first cycle of the UPR in 2009, Spain made a recommendation to increase resources for the judiciary (A.32). Botswana also made a recommendation calling upon Ethiopia to ensure the independence and impartiality of the judiciary.

The NHRAP has also provided for action points which are intended to strengthen the judiciary. These include:

- Giving training on human rights, particularly the rights of persons accused and arrested;
- Increasing the number of judges;
- Ensuring the independence and accountability of courts;
- Opening additional branches of courts, thereby promoting the right of access to justice.

5.4.6 Law Enforcement Organs

Ethiopia has accepted various recommendations concerning law enforcement organs including the prosecution and the police. With regard to the prosecution, Ethiopia accepted Serbia's recommendation that this organ provide training for prosecutors on international humanitarian law, referring to recommendation N° 155.46. The NHRAP laid out further action points intended to strengthen prosecution. These include:

- Increasing the number of prosecutors;
- Providing human rights education and training to prosecutors.

In connection with the police, Ethiopia accepted recommendations N° 155.45 and 155.70.

In the first cycle of the UPR, Finland also made a recommendation for Ethiopia to better educate security and law enforcement authorities at all levels about the basic rights of citizens and to enhance citizens' possibilities to make complaints about mistreatment by the authorities (A.48).

In the same vein, the NHRAP lays down action points intended to strengthen the police, including the following:

- Enacting laws on the use of force;
- Increasing manpower and equipment;
- Undertaking human rights training;
- Opening additional branches.

5.4.7 Civil Society

Some of the UPR recommendations made for Ethiopia and accepted by the country relate to civil society organizations. These include recommendations N° 155.40, 155.41, 155.42, 155.43 and 155.44.

The NHRAP also addresses issues relating to civil society relating to freedom of association. In this regard, it includes the following action points:

- Providing support to mass-based societies and cooperative societies;
- Supporting and strengthening Ethiopian societies;
- Supporting a joint consultation forum for civil societies.

Conclusion

Most recommendations do not require huge resources and most can be addressed through the NHRAP. However, the NHRAP does not address the problem of how to improve human rights institutions. In addition, we need additional planning concerning civil society organizations, as the NHRAP fails to address this adequately.

6. Way Forward

The one-day conference on Ethiopia's second UPR held at Addis Ababa University on 5 January 2015 was important for three reasons. Firstly, it shared the outcome of Ethiopia's second UPR and presented the recommendations accepted in four clusters: civil and political rights; economic, social and cultural rights; women and children; and the legal and institutional framework. The event enabled practitioners in Ethiopia to learn more about the UPR process and to understand better how the recommendations can be linked to the NHRAP. Secondly, the conference was an opportunity to bring together representatives from ministries and civil society. The UPR being a cooperative mechanism, it was important to gather those actors in the same room for one day to speak openly, in a non-confrontational manner, about human rights. Participants were able to share their opinions about the recommendations received by

Ethiopia and state their points. Finally, the conference demonstrated the relevance and importance of universities and law schools for the UPR. Through their human resources, legal expertise and regional presence, they have a significant role to play.

The third UPR of Ethiopia will take place in 2019. Many challenges lie ahead. With scarce resources and little time, the government needs to implement and report on a variety of human rights issues. As for NGOs, their limited capacity also hinders their engagement. However, with the Addis Ababa University Law School, both the government and NGOs have a key partner which should be encouraged and persuaded to contribute. Greater involvement of universities and law schools in Ethiopia represents a tremendous opportunity for the long road ahead to improve the human rights situation in the country.

ANNEX

Accepted Recommendations

- 155.1 Consider ratifying ICERD (Burkina Faso);
- 155.2 Continue its process towards the ratification of ICRMW (Indonesia);
- 155.3 Step up efforts to ratify ICRMW (Philippines);
- 155.4 Consider the possibility of ratifying ICRMW (Ecuador);
- 155.5 Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Estonia);
- 155.6 Ratify the OP-CRC-AC and OP-CRC-SC (Congo);
- 155.7 Ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) (Uganda);
- 155.8 Consider ratifying the Kampala Convention (Namibia) (Serbia);
- 155.9 Consider ratifying the Kampala Convention and drawing up a plan of action for internally displaced persons (Sierra Leone);
- 155.10 Continue implementing laws in accordance with the universally agreed human rights norms and principles (Lesotho);
- 155.11 Continue to implement the NHRAP (Libya);
- 155.12 Continue to work for the full implementation of the NHRAP (Thailand);
- 155.13 Fully implement the NHRAP (Republic of Korea);
- 155.14 Accelerate the implementation of the NHRAP, adopted in 2013 (Sudan);
- 155.15 Implement and monitor the NHRAP, enabling civil society organizations to participate in the process (Australia);
- 155.16 Continue implementing the National Action Plan on Gender and Development (Algeria);
- 155.17 Continue work on the national action plan launched regarding the good governance framework within the administration (Equatorial Guinea);
- 155.18 Strengthen the role and mandate of the Ethiopian Human Rights Commission (Mauritius);
- 155.19 Further strengthen the capacity of the Ethiopian Human Rights Commission (EHRC) (Afghanistan);
- 155.20 Work on the strengthening of the capacities of important national entities such as EHRC (Nicaragua);
- 155.21 Strengthen the institutional capacities of EHRC as well as the Office of the Ombudsman (Kenya);
- 155.22 Further strengthen the capacity of the institution of Ombudsman (Serbia);
- 155.23 Strengthen EHRC in order to make it compliant with the Paris Principles (Namibia);
- 155.24 Strengthen ongoing efforts to bring EHRC into conformity with the Paris Principles (Sierra Leone);
- 155.25 In line with the vigorous actions already undertaken, endow EHRC with a mandate in compliance with the Paris Principles (Mali);¹
- 155.26 Continue strengthening the national human rights institutions and promoting and protecting the rights of all segments of the population (Nepal);

- 155.27 Equip the national human rights institutions with the necessary resources and capacities to effectively monitor the human rights situation and to independently investigate, provide appeals and redress for alleged human rights violations in relation to the resettlement of communities through the Commune Development Programme (Austria);
- 155.28 Continue efforts to promote and protect human rights (Kuwait);
- 155.29 Continue to bring about the strengthening of the structures for human rights protection in accordance with international standards (Russian Federation);
- 155.30 Continue efforts to elaborate uniform strategies and programmes for the promotion of human rights in all regions, in spite of the nation’s diversity and complexity (Democratic Republic of the Congo);
- 155.31 Strengthen work on the wide dissemination of information on international norms and standards, and also the international obligations of Ethiopia in the field of promoting and protecting human rights (Russian Federation);
- 155.32 Further strengthen existing efforts to integrate human rights in national development policies, strategies and plans (Cuba);
- 155.33 Increase international cooperation to guarantee economic, cultural and social rights (Saudi Arabia);
- 155.34 Call upon the international community in implementing and disseminating human rights instruments through technical assistance and capacity-building programmes (Uganda);
- 155.35 Enhance efforts to further strengthen democratic institutions in the country (Afghanistan);
- 155.36 Invite the international community to provide Ethiopia with requested technical assistance with a view to developing the capacities of federal and regional human rights institutions (Niger);
- 155.37 Establish mechanisms for meaningful participation of civil society at the federal and regional level in the process of implementing and monitoring the NHRAP (Norway);
- 155.38 Further strengthen the capacity to promote children’s rights at the federal, regional and local levels (Democratic People’s Republic of Korea);
- 155.39 Further develop and expand human rights awareness-raising programmes in the country (Armenia);
- 155.40 Strengthen the forum for dialogue between civil society and the Government (South Sudan);
- 155.41 Take steps to ensure the active participation of civil society in the area of prevention, awareness-raising and education on existing laws and policies (Denmark);
- 155.42 Improve engagement with civil society groups, including youth and women’s associations, to boost human rights (Nigeria);
- 155.43 Further enhance engagement with civil society groups registered in the country, including local youth and women’s associations, in the promotion and protection of human rights (Bhutan);
- 155.44 Further enhance engagement with civil society groups registered in the country, including local youth and women’s associations, in the promotion and protection of human rights (Cuba);
- 155.45 Intensify efforts to build the capacity of law enforcement authorities on the basic rights of citizens (Rwanda);
- 155.46 Continue providing training in international humanitarian law to judges, prosecutors, the police and the defence forces (Serbia);
- 155.47 Continue cooperation with the United Nations and other international organizations to overcome the remaining constraints and challenges (Lao People’s Democratic Republic);
- 155.48 Strengthen cooperation with United Nations human rights mechanisms, including by permitting visits from mandate holders (Hungary);
- 155.49 Tighten cooperation with the human rights mechanisms of the United Nations, allowing visits of the special procedures mandate holders (Chile);

- 155.50 Grant full access to special rapporteurs and special procedures mandate holders to visit the country, notably the Special Rapporteurs on the right to education, the right to food and on violence against women (Netherlands);
- 155.51 Accept the outstanding requests for visits from the special procedures and respond to the communications sent by OHCHR which are awaiting replies (Spain);
- 155.52 Continue current efforts to ensure equality between men and women (Egypt);
- 155.53 Intensify efforts to eliminate all forms of discrimination against women (Burundi);
- 155.54 Take robust measures to promote gender equality and safeguard the rights of women and girls (China);
- 155.55 Continue to promote gender equality and ensure equal opportunities for all women and girls (Singapore);
- 155.56 Improve the access of women to employment as well as to political life (Senegal);
- 155.57 Continue increasing the access of women to employment, participation in public life, education, housing and health (Chile);
- 155.58 Redouble efforts aimed at increasing women's access to employment, participation in public life, education, housing and health (Ecuador);
- 155.59 Continue to increase women's access to employment, public life, education, housing and health (South Africa);
- 155.60 Expand its policies aimed at creating income-generating opportunities for women, and improve working conditions of women in the private and informal sectors (State of Palestine)
- 155.61 Further work on political, economic and social empowerment of women (Democratic People's Republic of Korea);
- 155.62 Ensure equality among women and men in their family relations and continue to combat violence against women and children (Haiti);
- 155.63 Remain steadfast in pursuing its impressive policies towards gender equality, particularly by strengthening measures to eradicate gender-based violence (Lesotho);
- 155.64 Promote and protect the human rights of all persons belonging to vulnerable groups (Germany);
- 155.65 Continue actions aimed at the eradication of acts of racism and other forms of discrimination and intolerance (Bolivia (Plurinational State of));
- 155.66 Increase efforts and adopt all the necessary measures for the fight against discrimination in all its forms, particularly against minorities, and among them the most vulnerable children and women (Nicaragua);
- 155.67 Adopt legislative or other measures and awareness-raising campaigns to combat and prevent discrimination and societal stigma; in particular against persons with disabilities and persons affected by HIV/AIDS (Portugal);
- 155.68 Incorporate the crime of torture in the Penal Code, including a definition of torture with all the elements listed in article 1 of the Convention against Torture (Chile);
- 155.69 Introduce a definition of torture in its Penal Code that covers all of the elements contained in article 1 of the Convention against Torture (Kyrgyzstan);
- 155.70 Continue efforts to ensure that clear, independent and effective complaints mechanisms are in place for individuals' complaints concerning mistreatment by security and law enforcement authorities (Finland);
- 155.71 Further improve the conditions of prisons to make them more conducive to the rehabilitation of inmates as per the comment of EHRC (Bhutan);
- 155.72 Improve the prison system and the situation of prisoners based on the 2013 report of EHRC on the situation of human rights in the country's prisons (Russian Federation);

- 155.73 Increase efforts to effectively enforce the provisions of the Penal Code on sexual and domestic violence and prosecute any such acts (Liechtenstein);
- 155.74 Enhance assistance, shelter and rehabilitation for victims of sexual and domestic violence (Liechtenstein);
- 155.75 Ensure the allocation of adequate resources for the effective implementation of policies and programmes against violence against women and trafficking in persons (Philippines);
- 155.76 Continue to fight against FGM (Djibouti);
- 155.77 Increase the resources devoted to the prevention of violence against women and of FGM (Italy);
- 155.78 Continue efforts to address FGM, early marriage, and violence against women and girls which remain deeply rooted, according to reports (Japan);
- 155.79 Further pursue the national strategy and the action plan on the elimination of harmful traditional practices and FGM (Myanmar);
- 155.80 Continue its existing efforts to implement the national strategy and action plan on the elimination of harmful traditional practices and FGM (Rwanda);
- 155.81 Adopt additional measures for the elimination of FGM and traditional practices which cause pain to women (Spain);
- 155.82 Step up efforts to ensure the effective implementation of the ban on FGM, in particular through the implementation of preventive measures such as the dissemination of information and awareness-raising among populations at risk (Belgium);
- 155.83 Intensify efforts in the direction of sensitizing all stakeholders to prevent FGM (Cyprus);
- 155.84 Continue efforts to prevent violence against children and their exploitation in the workplace (Algeria);
- 155.85 Enhance endeavours to abolish corporal punishment of children (Cyprus);
- 155.86 Continue strengthening the existing mechanisms in the fight against trafficking in persons, particularly of women and children (Angola) (Cuba);
- 155.87 Step up efforts to combat trafficking in persons, including training for officials, criminal prosecution of perpetrators as well as developing measures for the protection and rehabilitation of the victims of trafficking in persons (Belarus);
- 155.88 Continue strengthening the rehabilitation and reintegration of victims of human trafficking with the support of the international community (Venezuela (Bolivarian Republic of));
- 155.89 Strengthen the institutional capacity of the National Council to Combat Trafficking in Persons (Burundi);
- 155.90 Develop a specific programme to try and punish traffickers of women and children (Honduras);
- 155.91 Strengthen the criminal justice system to ensure easy and fair accessibility to all citizens (Zimbabwe);
- 155.92 Respect the right to a fair trial, notably by ensuring that legal procedures are respected (Switzerland);
- 155.93 Strengthen the capacity of the Legal Protection Centre for Children to strengthen the administration of child justice (Serbia);
- 155.94 Take necessary measures to open the office of the Federal Ethics and Anti-Corruption Commission in the remaining two national regional States (Bhutan);
- 155.95 Take the necessary measures to open the office of the Federal Ethics and Anti-Corruption Commission in the remaining two national regional states (South Sudan);
- 155.96 Continue strengthening the role and contribution of the family in society (Egypt);

- 155.97 For the continued development of the country, take into account and support the family, based on the stable relationship between a man and a woman, as the natural and fundamental unit of society, both in taxation and general legislation (Holy See);
- 155.98 Strengthen the national system of birth registration, extending it to all persons born on Ethiopian soil (Senegal);
- 155.99 Raise the capacity of the Vital Events and National Identity Card Registration Agency in order to ensure the right of all persons to birth and death registration (Sudan);
- 155.100 Improve the existing activities and mechanisms to strengthen intercultural and interreligious dialogue (Burundi);
- 155.101 Further promote tolerance and dialogue between different ethnic and religious groups (Armenia);
- 155.102 Keep encouraging interreligious and inter-ethnic dialogue so that Ethiopia's pluralism of traditions and cultures remains an enriching and valued dimension of the country (Holy See);
- 155.103 Protect and promote the right of Ethiopians to practise their religious faith or beliefs, including by enhancing the dialogue between different faith communities to address interreligious tensions (Canada);
- 155.104 Take steps to guarantee the political rights of its people, freedom of expression, association and assembly, in particular (Japan);
- 155.105 Take measures to ensure the increased freedom of expression of journalists and media workers (Republic of Korea);
- 155.106 Ensure that legitimate acts of political dissent are not criminalized and freedom of opinion, of the media and of assembly are fully respected when applying the Terrorist Act of 2009, in line with the NHRAP (Germany);
- 155.107 Review its legislation to ensure that any limitations on the right to freedom of expression, both online and off-line, are in full compliance with article 19 of ICCPR, in particular by providing for a defence of truth in all defamation cases (Ireland);
- 155.108 Ensure that journalists and workers in the media can pursue their profession in a free environment which guarantees the rights of freedom of opinion and expression for all persons (Chile);
- 155.109 Strengthen members-based and members-driven civil society by further facilitating the existing mechanisms to generate funds from local sources (Cuba);
- 155.110 Enhance measures on the establishment of grass-roots members-based and members-driven civil society organizations (Somalia);
- 155.111 Further strengthen locally based, members-driven and funded civil society groups in the country (Democratic People's Republic of Korea);
- 155.112 Ensure that the right to participation of all persons promoting and protecting human rights is guaranteed (Switzerland);
- 155.113 Take further measures to ensure the safety and freedom of action of human rights defenders (Finland);
- 155.114 Continue improving the outreach to all ethnic communities to actively participate in the political process so as to strengthen Ethiopia's democracy and prevent potential conflicts (Holy See);
- 155.115 Take necessary measures to enable all citizens to fully take part in the democratic process in advance of the 2015 elections, including allowing open and inclusive electoral debate, civic and voter education, election monitoring and the active engagement of civil society organizations and independent media (Canada);
- 155.116 Continue to grant all political parties unfettered access to the print and electronic media for fair elections (Nigeria);

- 155.117 Further strengthen measures to enhance the participation of women in decision-making (Sri Lanka);
- 155.118 Further its efforts to increase the participation of women in politics through the integration of gender issues into national policies (Equatorial Guinea);
- 155.119 Continue its positive campaigning to raise awareness of women's social and political rights (Malaysia);
- 155.120 Further strengthen measures to ensure participation of women in political affairs (Afghanistan);
- 155.121 Take new measures aimed at strengthening the existing mechanism to reduce unemployment in the country (Angola);
- 155.122 Continue strengthening small and medium-scale enterprises to create more job opportunities for the youth (Sri Lanka);
- 155.123 Continue applying the benefits of economic growth to all the population (Venezuela (Bolivarian Republic of));
- 155.124 Intensify the implementation of its pro-poor policies, projects and programmes (Zimbabwe)
- 155.125 Intensify poverty alleviation and promote economic and social development so as to improve people's living standards (China);
- 155.126 Continue addressing the challenges in poverty reduction (Myanmar);
- 155.127 Continue policies aimed at fighting extreme poverty, as well as those aimed at achieving food security and infrastructure development (Côte d'Ivoire);
- 155.128 Strengthen strategies and programmes for poverty reduction and job creation, making them uniform among the nine regional states, for better effectiveness of human rights (Burkina Faso);
- 155.129 Strengthen the implementation of the Growth and Transformation Plan to build on the achievements of poverty reduction (Morocco);
- 155.130 Continue efforts to implement the Growth and Transformation Plan for 2010–2015 in order to improve enjoyment of economic and social rights and to achieve social justice (United Arab Emirates);
- 155.131 Continue strengthening the application of the Growth and Transformation Plan in the fight against poverty, to which it has assigned auspiciously 69 per cent of the budget (Venezuela (Bolivarian Republic of));
- 155.132 Strengthen measures taken at national level to ensure food security in the country (Rwanda);
- 155.133 Establish strategies to sustain and reinforce progress recently made in the area of food security (Viet Nam);
- 155.134 Continue the measures implemented for the right to water and sanitation within the framework of General Assembly resolution 64/292 (Bolivia (Plurinational State of));
- 155.135 Continue efforts to improve the social sectors, including through technical assistance (Sierra Leone);
- 155.136 Increase access to primary health care for the populations living in rural areas (Democratic Republic of the Congo);
- 155.137 Step up efforts to improve health services for all its citizens, especially in the rural areas (Malaysia);
- 155.138 Develop measures for social protection, including through the adoption of a system of health coverage (Niger);
- 155.139 In cooperation with the World Health Organization and relevant international organizations, continue to improve access to quality health care for its people (Singapore);
- 155.140 Continue to undertake effective plans and programmes to ensure the achievement of the Millennium Development Goals, especially in terms of health through measures to increase access to health services for the public (Sri Lanka);

- 155.141 Step up efforts to improve health services and reduce the maternal mortality rate, including through the allocation of increased resources for health-care provision in rural areas (State of Palestine);
- 155.142 Focus on policies that seek to improve access to, and the quality of, the health and education sectors (Côte d'Ivoire);
- 155.143 Continue supporting health and educational institutions, both public and private, so that excessive bureaucratic constraints may not weaken their efficiency (Holy See);
- 155.144 Strengthen free primary education across the country's territory (Haiti);
- 155.145 Strengthen current measures to ensure that primary education is free and compulsory for all children (Egypt);
- 155.146 Redouble its efforts to provide quality education for children and implement programmes that would encourage them to go to school (Malaysia);
- 155.147 Continue efforts to strengthen the quality of, and access to, education and make basic education free for all, especially in rural areas (Maldives);
- 155.148 Further intensify efforts to ensure equal access to quality education, and expand primary education to children in their mother tongue (Sudan);
- 155.149 Continue efforts to improve quality education and ensure access to education in all areas of the country (Yemen);
- 155.150 Ensure continuous progress in the area of the right to education, including the inclusion of human rights education in the curriculum (Indonesia);
- 155.151 Allocate greater resources so as to significantly improve the rate of school enrolment among girls and the literacy rate among women and girls (Viet Nam);
- 155.152 Continue building the capacity of health and social services to provide care for children with disabilities (Egypt);
- 155.153 Continue with efforts to protect the rights of unaccompanied and separated children and female refugees (Zambia);
- 155.154 Adopt measures to ensure the issuance of birth certificates to newborn refugees (Argentina);
- 155.155 Develop a strategy and national plan of action on the protection of migrants, refugees and internally displaced persons with the technical support of international and national partners (South Africa);
- 155.156 Reinforce the strategy and the national action plan concerning internally displaced persons (Haiti);
- 155.157 Strengthen existing efforts to ensure a safe and healthy environment (Saudi Arabia);
- 155.158 Address issues of environmental degradation and disaster management, in order to ensure the protection of the environment (Maldives);
- 155.159 Further strengthen existing efforts to integrate human rights in the national development policies, strategies and plans (South Sudan);
- 155.160 Encourage and contribute to the design of the most suitable socioeconomic integration plan for the subregion, as part of the developmental challenges of the subregion (Somalia);
- 155.161 Continue strengthening the application of the Anti-Terrorism Proclamation, providing education in human rights for those charged with enforcing the law (Venezuela (Bolivarian Republic of));
- 155.162 Carry out actions against terrorism in full respect for human rights law and standards and without undue restrictions on fundamental freedoms, such as freedom of expression and freedom of the press, and on civil society space (Italy);
- 155.163 Take concrete measures to ensure that efforts to counter terrorism are carried out in full compliance with the Constitution and international human rights obligations, including respect for fair trial guarantees and freedom of expression (Norway);

- 155.164 Continue to combat terrorism in the subregion in order to preserve peace, security and prosperity (Djibouti);
- 155.165 Strengthen anti-terrorism by incorporating capacity with other African States to fight the scourge of terror (Nigeria);
- 155.166 Strengthen measures to fight against terrorism and extremism in the country and in the Horn of Africa, including through subregional and regional organizations, as they undermine the practical enjoyment of human rights particularly economic, social and cultural rights (Somalia);
- 155.167 Intensify efforts to make segments of the society benefit from equitable economic growth (Morocco);
- 155.168 Promote and protect the rights of the peasants and other persons working in rural areas (Bolivia (Plurinational State of));
- 155.169 Strengthen its role in maintaining peace and security in the Horn of Africa (Somalia);
- 155.170 Develop projects for the transfer of technology with the Ethiopian diaspora, with the aim of supporting the establishment of productive projects in the communities from which they originate (Mexico).
- 156.1 Allow independent observers access to places of detention (Paraguay);
- 156.2 Develop programmes to combat violence against women (Malaysia);
- 156.3 Respect the rights of all persons to due process of law, particularly the presumption of innocence (Germany);
- 156.4 Apply article 36 of the Vienna Convention on Consular Relations in order to ensure that, if a detained foreign national so requests, the competent authority shall, without delay, inform his or her consular post (Austria);
- 156.5 Fully protect members of opposition groups, political activists and journalists who are exercising their rights to freedom of expression, association and peaceful assembly from arbitrary detention (Canada);
- 156.6 Repeal provisions of the legislation that can be used to criminalize the right to freedom of expression (Slovakia);
- 156.7 Remove any structural and institutional impediments that hinder the implementation of the Freedom of the Mass Media and Access to Information Proclamation (Denmark);
- 156.8 Take the necessary measures in order for the law on media and access to information to comply with ICCPR (France);
- 156.9 Consider adopting universal health-care coverage to ensure healthcare provision for all, with particular attention given to vulnerable groups and those living in rural areas (Thailand);
- 156.10 Extend free primary education throughout the country (Namibia);
- 156.11 Provide the proper framework for appeals within the 2009 antiterrorist law in order to guarantee respect for fundamental rights (France).
- 157.7 Implement fully its 1995 Constitution, including the freedoms of association, expression and assembly, for independent political parties, ethnic and religious groups and NGOs (Australia);
- 157.10 Adopt measures which guarantee the non-occurrence of cases of torture and ill-treatment in places of detention and, among them, establish an independent national preventive mechanism against torture (Spain);
- 157.12 Ensure the full independence and impartiality of the judiciary, in conformity with international standards (Botswana);
- 157.14 Take concrete steps to ensure the 2015 national elections are more representative and participative than those in 2010, especially around freedom of assembly, and encourage debate among political parties (United Kingdom);

ACCEPTED RECOMMENDATIONS

- 157.16 Continue work on the development of the national education system, ensuring access to quality and free education (Belarus);
- 157.17 Consider implementing the pertinent recommendations of the Independent Expert on minority issues, with a view to guaranteeing equal treatment of all ethnic groups in the country (Cabo Verde);
- 157.18 Monitor the implementation of the anti-terrorism law in order to identify any act of repression which affects freedom of association and expression and possible cases of arbitrary detention. In addition, develop activities necessary to eliminate any excesses by the authorities in its application (Mexico).

Monitoring Tool

N°	Recommending State	Recommendation	Goal to be achieved <i>What is the ultimate goal of the recommendation?</i>	Actions needed by the Government <i>What are the steps needed to achieve the ultimate goal of the recommendation?</i>	Indicators of implementation <i>Which benchmarks will demonstrate that the recommendation has been implemented?</i>	Governmental bodies responsible for the implementation of the recommendation <i>Specific Ministry/ Department/ Governmental Institution which is accountable for implementation of the relevant recommendation</i>	Action you can take to ensure the implementation process <i>Identify how you can be active to ensure the implementation of the recommendations</i>
12-16	Libya, Thailand, Rep. of Korea, Sudan, Australia	Continue to implement the NHRAP; Continue to work for the full implementation of the NHRAP; Fully implement the NHRAP; Accelerate the implementation of the NHRAP, adopted in 2013; Implement and monitor the NHRAP, enabling civil society organizations to participate in the process;	Implementation of the NHRAP	<ul style="list-style-type: none"> Committing more resources Establishing a clear timetable Making the NHRAP more public Ensuring links between the NHRAP and the Growth and Transformation Plan (GTP) 	<ul style="list-style-type: none"> Publication of a timetable for implementation Workshops to disseminate of the NHRAP Distribution of the NHRAP Number of issues from the NHRAP that have been included in the GTP 	Parliament and the EHRC	<ul style="list-style-type: none"> Partnering with the Government to give trainings Encouraging graduate students to get engaged Law faculties could write more articles on the NHRAP and the UPR
38	Norway	Establish mechanisms for meaningful participation of civil society at the federal and regional level in the process of implementing and monitoring the NHRAP	Participation of civil society in the implementation of the NHRAP	<ul style="list-style-type: none"> Have consultations on how CSOs can be involved in the next phase of the NHRAP Informing the Parliament sub-committees 	<ul style="list-style-type: none"> Annual independent assessment of the NHRAP by CSOs 	Ministry of Foreign Affairs, Ministry of Justice, Ministry of Federal Affairs Parliament	

