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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Union of the Comoros and welcome the constructive engagement of your Government during the 32nd session of the UPR Working Group in January 2019.

As the final outcome report on the review of the Comoros has been recently adopted by the Human Rights Council at its 41st session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of the Comoros – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 74 delegations and the presentation made and responses provided by the delegation of the Comoros. I have also considered the actions taken by the Government to implement the 123 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I would like to highlight a number of particularly encouraging steps taken by the Government of the Comoros, including the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities.

I also take note of the Constitutional reform in 2018, making a better recognition of human rights; the adoption in 2018 of the revised Strategy for Accelerated Growth and Sustainable Development, which encompasses the priorities of the Government and Agenda 2030; the adoption of the universal health coverage in 2017, the National Health Policy document (2015-2024) and the National Health Development Plan (2015-2019) currently under implementation; and the educational programmes and policies which have been developed, including the Education Transition Plan 2017-2020.

I encourage the Comoros to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate the preparations for the Comoros' fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular civil society organizations and, where necessary, with the support of international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

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H.E. Mr. Souef Mohamed El-Amine
Minister of Foreign Affairs and Technical Cooperation
Union of the Comoros

In line with several recommendations made to the Comoros during its third UPR, I also encourage the Comoros to establish a national mechanism for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking this to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at: http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please, kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can contribute positively to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Comoros to consider submitting a mid-term report on follow-up to the third cycle of the review, by 2021.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist the Comoros in relation to the areas identified in this letter and its annex.

Please, accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc: H.E. Mr. Mohamed Housseini Djamalilaili
Minister of Justice and Human Rights
Union of the Comoros



Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the international instruments of which the Comoros is not yet a party, including the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights and its Optional Protocols; the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocols to the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; and the International Convention for the Protection of All Persons from Enforced Disappearances.
- Increasing cooperation with international human rights mechanisms, including by facilitating its visits and considering to extend a standing invitation to all Special Procedures mandate holders of the Human Rights Council, and accepting the competence of treaty bodies to review individual complaints procedures and urgent actions.

National human rights framework

- Continuing its efforts to fully harmonize the National Commission for Human Rights and Freedoms with the Paris Principles, so that the A status may be granted to the Commission and, in particular, ensuring its independence, autonomy, competency and the allocation of adequate human and financial resources to the Commission.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Adopting effective measures, including legislative measures, to eliminate all forms of discrimination, including with regard to the right to education, transmission of nationality, religion and minority groups.

B. Civil and political rights

Right to life, liberty and security of person

- Continuing with its efforts to abolish the death penalty, meanwhile establishing a de jure moratorium on executions, and carrying out awareness raising campaigns and spaces for dialogue among the different sectors of the society, with a view to abolishing the death penalty.
- Taking steps to reduce the length of pre-trial custody and the excessive use of pre-trial detention, including the use of alternative measures, and ensuring that the pre-trial custody always meet the requirements as set out in the Code of Criminal Procedure.
- Taking necessary and effective measures to improve the conditions of detention, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.

Administration of justice, including impunity, and the rule of law

- Continuing to strengthen its system of justice, including by ensuring the independence of the judiciary and by providing adequate infrastructure and high quality training on human rights and criminal procedures to members of the judiciary, lawyers and those responsible to enforce the law.
- Ensuring fair and transparent recruitment of magistrates in conformity with the statutory rules, and the independence of the Public Prosecutor Office.
- Ensuring adequate sanctions to human rights violations and crimes, including homicide, proportional to the severity of the crime.

Fundamental freedoms and the right to participate in public and political life

- Guaranteeing respect for freedom of expression and association, by establishing strong mechanisms, and ensuring that there are no unlawful restrictions to the media and that journalists are able to carry out their functions without undue interference.
- Authorizing demonstrations and peaceful assemblies, including those of political parties, and allowing them to be held without undue interference.
- Maintaining civic space, in particular for organisations promoting freedom of opinion and expression, and preventing threats, attacks, arbitrary arrests and detention, and any other form of reprisals.
- Creating and maintaining a safe and enabling environment in which political opposition and civil society can operate free from hindrance and insecurity.

Prohibition of all forms of slavery

- Continuing efforts to combat trafficking in human beings and establishing a strategy to combat this practice.
- Investigating all cases of trafficking in human beings and prosecuting alleged perpetrators, and providing related training to judicial personnel and law enforcement officers.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Continuing to deploy efforts to guarantee the right to work for its population, including by implementing the decent work programme and the plan for the modernization of labour affairs.
- Designing and implementing a plan and initiatives aimed at reducing the high unemployment rate among young people.
- Increasing the number of qualified inspectors and carrying out awareness raising campaigns on the people's rights and obligations regarding the right to work and favourable conditions of work.

Right to social security

- Taking all steps necessary to gradually regularize the informal sector of the economy, by providing workers of that sector with access to basic labour benefits, social protection and other rights, as enshrined in the International Covenant on Economic, Social and Cultural Rights and other relevant international human rights instruments.

Right to an adequate standard of living

- Continuing to combat poverty, including through seeking assistance and technical cooperation from the international community and diversifying the international donors.

Right to health

- Ensuring implementation of the universal health insurance, including by supporting the Ministry of Health to overcome challenges related to governance, leadership and especially sectoral coordination of the efforts made in the health system.
- Increasing efforts to eliminate maternal mortality, including by improving the quality of maternal and new-born health services, in particular by enhancing the technical capacity of service providers and providing adequate health facilities with medication and equipment to manage obstetric and neonatal emergencies.

Right to education

- Taking legislative measures to strengthen the legal framework aimed at guaranteeing the right to education, by bringing its domestic legal provisions into line with international human rights standards.
- Enhancing measures to eradicate illiteracy and ensure universal and free access to quality education, particularly for the most marginalized and deprived populations.
- Intensifying its efforts to increase the school attendance rate and reduce the drop-out rate, especially among girls, in order to prevent children under 15 years of age from working.
- Continuing to make efforts to promote the retention of children in schools and the acquisition of basic skills, with a view to eradicate illiteracy, and offering better working conditions and training to teachers in order to improve the quality of the education system.
- Providing improved educational opportunities for girls, children with disabilities and children from rural or low-income backgrounds.

D. Rights of specific persons or groups

Women

- Increasing efforts to move forward the elimination of all forms of discrimination against women, paying due attention to its root causes, and promoting all necessary steps to equally protect the rights of women and men.
- Continuing to develop a national strategy to eliminate and prevent violence against women, including sexual violence, and investigating all acts of violence against women and bringing the perpetrators of these crimes to justice, imposing appropriate sentences.

- Efficiently implementing the Act on the introduction of measures to further the advancement of women in respect to access to appointed and elected office, adopted in 2017, and adopting further steps, including awareness raising campaigns and special temporary measures, to increase women's participation in all aspects of public and political life.
- Amending the Nationality Code in order to enable Comorian men and women to enjoy equal rights to pass on their Comorian nationality to non-Comorian spouses.

Children

- Taking effective measures to ensure implementation of the new children's policy adopted in 2016, and ensuring protection of children from harm and all forms of physical and mental violence, abuses or ill-treatment, neglect, child labour, and economic and sexual exploitation.
- Identifying and sanctioning perpetrators of violence and abuses against children.
- Raising awareness among parents and the general population on the negative consequences of child marriage, while informing children about the promotion and protection of their rights, and tackling the root causes of this problem.

Persons with disabilities

- Continuing to deploy efforts to promote and protect the rights of persons with disabilities, including by ensuring implementation of the National Strategy of Basic Education for Children with Disabilities 2017-2026.

Migrants, refugees and asylum seekers

- Adopting a national legislative framework to protect the rights of migrants, asylum seekers and refugees, in line with international human rights related instruments and standards, and to clearly establish the rights and safeguards to which asylum seekers and refugees are entitled.

Stateless persons

- Amending Law No.79-12 of 1979 on nationality to enable children born in the Comoros who would otherwise be stateless to acquire Comorian nationality.