



General Assembly

Distr.: General
8 November 2013
English
Original: French

Human Rights Council
Working Group on the Universal Periodic Review
Eighteenth session
27 January–7 February 2014

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Comoros

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GE.13-18529 (E) 281113 031213

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Introduction

1. The Union of the Comoros is appearing before the Human Rights Council of the United Nations in the second cycle of the universal periodic review. It does so without qualms and with a sense of responsibility, against a background of political stability, national cohesion and strengthened rule of law.
2. The political transition at the highest level of Government, the organization of legislative elections and the renewal of the country's institutions in May 2010, based on the 2001 Constitution as amended in 2009, demonstrated the Comorian people's political maturity and determination to break with a decade of upheaval and political and institutional chaos.
3. The Comoros, in a constant effort to reaffirm its strong adherence to the universal values of human dignity, tolerance and freedom, is gaining force and cohesion by incorporating these values into the domestic legal system. The institutional structure, particularly the judicial apparatus envisaged in the Constitution, has been supplemented. Legislative and administrative arrangements have been made to give effect to the recommendations formulated during the previous review, in May 2009. The Government's policy emphasizes gender equality. The exercise of power is informed by good governance and transparency. Action against corruption is one of the Government's priorities and is supported by independent institutions. The efforts made in terms of financial and economic management have been acknowledged by international financial institutions like the International Monetary Fund (IMF) and the World Bank, enabling the Union of the Comoros to qualify for the highly indebted poor countries initiative (HIPC). In order to reach these targets, the Union of the Comoros has had to show progress in the programmes that are supported by loans from IMF and the World Bank. It has had to carry out successfully the major reforms identified and, in September 2009, to adopt a growth and poverty reduction strategy.
4. As a generator of wealth, the private sector has been invited to play a major role in efforts to promote human rights.
5. It has recommitted itself to a world view of solidarity and support for peace, security and development.
6. Following the first cycle of the universal periodic review in May 2009, the Union of the Comoros endorsed 52 recommendations and set about putting them into effect. The remaining seven recommendations that it did not support will be studied and possible changes will be announced.
7. In the current second cycle of the universal periodic review, the evolution of human rights in the Union of the Comoros since 2009 will be painstakingly analysed, and the efforts furnished will thus be identified.
8. Obviously, however, equal weight will be given to the steps taken to give effect to the recommendations from the first cycle and to the drawbacks and challenges.
9. The international community is asked to provide additional logistical, material, financial and technical capacity in order to better support the gradual but necessary improvement of the human rights situation in this fragile island nation, with limited resources, in a region of geopolitical instability.
10. This report contains detailed sections and paragraphs on the various subjects of discussion. After taking an overview of methodology and the consultation process (I) and the normative, legislative and institutional framework (II), the status of implementation of

the 52 recommendations that were accepted (III) and of the 7 other recommendations that were not accepted after the first cycle in May 2009 (IV) is evaluated. The progress and best practices gained so far (V) and the challenges and constraints encountered (VI) are of course identified, and an appeal is made for continuous support from the international community (VII) in constantly improving the enjoyment of human rights in the Union of the Comoros.

11. The discussion to come and the subsequent dialogue will furnish any additional information that may be required.

I. Methodology and consultation process

12. This report was drawn up under the supervision of the National Human Rights Delegation, a standing institution under the Ministry of Justice and Human Rights for the coordination and follow-up of the Government's commitments, and with the support of the National Commission for Human Rights and Freedoms and the Ministry for Foreign Relations and Cooperation and the active support of civil society.

13. From 3 to 7 June 2013, a workshop was held in Moroni, attended by representatives of the various ministerial departments, civil society and the National Commission for Human Rights and Freedoms in order to share expertise and collect contributions from all stakeholders for the preparation of the report.

14. The workshop was financed by the Comorian Government and the Office of the Resident Representative (RR) of the United Nations system in the Union of the Comoros, with expertise provided by the International Organization of la Francophonie (OIF) and the Office of the United Nations High Commissioner for Human Rights.

15. A fact-finding, coordination and consultation mission was carried out in the islands comprising the Union of the Comoros. Updated information was gathered from ministries and other relevant government services.

16. Several working meetings were held to analyse and compare the information compiled, and consultations were carried out in order to finalize this report.

17. Various drafts of the report were discussed in workshops with civil society organizations and government institutions.

18. The guidelines for universal periodic reviews adopted by the Human Rights Council in its decision 17/119 were taken into account.

19. The report focuses on the implementation and follow-up of the recommendations of the previous review that were accepted, the status of the recommendations made but not accepted and the evolution of the human rights situation in the Union of the Comoros from 2009 to 2013.

II. Evolution of the normative and institutional framework (2009–2013)

A. Constitution

20. The Constitution of the Union of the Comoros, adopted on 23 December 2001, was amended in March 2009 to readjust the division of authority between the Union (the central authority) and the autonomous islands. In the preamble, the amended Constitution reaffirms the commitment of the Union of the Comoros to the universal values of human rights.

21. In the legislative sphere, several international instruments have been incorporated into Comorian legislation since 2009. To this end, Parliament adopted a number of laws, including:

- Act No. 11-042/AU of 13 December 2011 to implement the Rome Statute;
- Act No. 11-004/AU of 26 March 2011 to regulate the health-care institutions of the Union of the Comoros, promulgated by decree No. 11-143/PR of 14 July 2011;
- On 21 June 2011, the Head of State promulgated Act No. 08-013/AU, adopted on 25 July 2008, on transparency of the governmental, economic, financial and social activities of the Union of the Comoros;
- Act No. 10-009/AU of 29 June 2010 contained the Information and Communication Code, promulgated by decree No. 10-079/PR of 19 July 2010;
- Act No. 12-012/AU of 28 June 2012 revoked, amended or supplemented certain provisions of Act. No. 84-108/PR establishing the Labour Code, promulgated by decree No. 12-167/PR of 6 September 2012;
- Act No. 011-002/AU of 27 March 2011 on tobacco control, promulgated by decree No. 11-140/PR of 14 July 2011;
- Act No. 011-001/AU of 26 March 2011 containing the Public Health Code, promulgated by decree No. 11-141/PR of 14 July 2011;
- The Act of 29 December on the Code of Public Contracts;
- Act No. 011-028/AU of 28 December 2011 on the National Commission for Human Rights and Freedoms (CNDHL).

B. General policy measures

22. The Comorian Government has adopted the following:

- A national human rights policy (October 2012);
- An accelerated growth and sustainable development strategy, 2015–2019;
- A poverty reduction and growth strategy paper (DSRP), 2010–2014;
- A capacity-building plan, 2011;
- A national human development report, 2010;
- With the support of various development partners, public policies for improving the population's health.

C. Normative framework and international instruments (signed/ratified, reservations, declarations)

23. The Union of the Comoros has signed and ratified many international conventions, including:

- At the international level, the Union of the Comoros has ratified many treaties on the protection of children from all forms of sexual and economic exploitation, including the Convention on the Rights of the Child and its two Optional Protocols;
- The International Covenant on Economic, Social and Cultural Rights, signed on 13 November 2001;

- The International Covenant on Civil and Political Rights;
- The International Convention on the Elimination of All Forms of Racial Discrimination;
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- The Convention on the Rights of Persons with Disabilities (in December 2011, by Act No. 11-017/AU of 13 December 2011, promulgated by decree No. 12-017/PR of 4 February 2012); the Optional Protocol to this Convention was approved by the Council of Ministers and submitted to Parliament for ratification procedures during the October 2013 session;
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- The United Nations Convention against Corruption.

D. National institutions for the promotion and protection of human rights

1. Governmental and quasi-governmental institutions

(a) The Human Rights Delegation under the Ministry of Justice and Human Rights

24. This institution was established in 2001, and in 2010, its organizational structure was set up and staff was recruited. It was subsequently elevated to a higher rank by decree No. 11-139/PR of 12 July 2011, amending certain provisions of decree No. 11-078/PR of 30 May 2011, particularly articles 18 and 34 thereof, on general reorganization and duties of departments in the Ministries of Union of the Comoros.

25. The Delegation's duties and activities (according to decree No. 11-139/PR of 12 July 2011) are:

- To draw up the Government's human rights policies;
- To implement the Government's human rights policies;
- To support ministerial or interministerial efforts in this area;
- To develop and carry out policies on information, communications and the promotion and protection of human rights nationwide, on each island and in local communities and, to that end, to coordinate and supervise all the national and/or international institutions and organizations active in the sphere of human rights in the country;
- To provide for the implementation, follow-up and enforcement of the international and regional human rights conventions and treaties to which the Union of the Comoros is a party;
- To initiate and coordinate legislative and regulatory activities relating to human rights.

(b) The National Commission for Human Rights and Freedoms

26. The National Commission for Human Rights and Freedoms (CNDHL) was established by Act No. 11-028/AU of 23 December 2011, promulgated by decree No. 12-042/PR of 18 February 2012 and officially inaugurated on 2 October 2012. It is made up of 15 members appointed by decree No. 12-150/PR of 28 July 2012 issued by the Head of State. The Government has attempted to ensure remuneration for the three officials in this

institution and to provide it with premises, but they need to be renovated. The Commission must also have salaried staff, but there is a financing problem.

27. In accordance with its mandate and duties, the Commission has carried out a number of activities:

- **Promotional work** through training, education, research and awareness-raising;
- **Protective efforts** through the consideration of complaints, acting as civil party for the victims, encouraging the Government to ratify international legal instruments and contributing to the preparation and adoption of legislation on human rights;
- **Upholding and monitoring** human rights.

(c) *The National Commission for Action against and Prevention of Corruption (CNPLC)*

28. The National Commission for Action against and Prevention of Corruption (CNPLC) was established by decree No. 11-162/PR of 25 August 2011 following the adoption of the anti-corruption law in June 2011.

29. Its duties are:

- **Promotional activities** through training, education and awareness-raising;
- **Prevention;**
- **Taking the initiative** on financial crime.

(d) *The Inter-Ministerial International Humanitarian Law Commission (CIDIH)*

30. The Inter-Ministerial International Humanitarian Law Commission (CIDIH) was established in November 2003 by decree No. 03-104/PR of 17 November; in September 2010, by decree No. 10-119/PR of 1 September, it was updated and made answerable to the Ministry of Human Rights and Humanitarian Law. Its primary duty is to assist the Government with the implementation and follow-up to the international treaties and conventions on humanitarian law ratified by the Union of the Comoros.

(e) *The Group on Follow-up to the Commitments of the Government relating to Human Trafficking*

31. The Group was established by decision No. 13-026/MIREX/CAB of 21 August 2013. It is made up of 15 members, including high-ranking representatives of various Government institutions and of the United Nations system in the Comoros. It acts, among other things, as a framework for dialogue, discussion, analysis, argumentation and support, enabling the participants to provide synergized support to national efforts to combat trafficking in persons.

(f) *The General Office for Solidarity and Gender Advocacy*

32. This governmental institution for gender affairs, responsible to the Vice-President who oversees the Ministry of Health, has the main tasks of promoting gender equality, national solidarity and social cohesion, combating extreme poverty and enhancing the status of women. While it is already functional, it needs to put in place its organizational structure and to draw up a national plan of action, a working programme and effective mechanisms for coordination with other institutions and services, particularly its subdepartment, the National Department for Gender Advocacy, the Department of Entrepreneurship for Women, the decentralized services on the islands that are responsible for gender affairs and the gender focal points within each Ministry.

(g) The National Department for Gender Advocacy

33. The National Department for Gender Advocacy is responsible for devising and carrying out activities to promote and protect women and children and for ensuring the incorporation of a gender perspective in all development sectors. It handles the follow-up and evaluation of activities carried out nationwide and on individual islands.

(h) The Department of Entrepreneurship for Women

34. The tasks of this Department include developing a spirit of enterprise among women and improving quantitative know-how among women entrepreneurs.

(i) Office of Civil Security

35. This was established by decree No. 12-054/PR of 9 March 2012 and is primarily responsible for the protection of persons, property and the environment in the event of accidents and disasters.

(j) The national platform for disaster risk prevention and reduction

36. Instituted by decree No. 12-181/PR of 15 September 2012, this is a national multisectoral organization working in the field of disaster risk prevention and reduction.

37. Despite the goodwill of the State, all these institutions and bodies are facing operating difficulties owing to a lack of material and financial resources and of staff sufficiently specialized or qualified in these fields of human rights to handle the Government's commitments to the international mechanisms for the implementation of recommendations, performance follow-up and the preparation of national reports, particularly on gender. This is why technical and logistic support and capacity-building for the officials and staff of these institutions are indispensable.

2. Non-governmental bodies

38. Civil society is well represented and supported in the country. Non-governmental organizations are being formed and are increasingly active in the field of human rights.

39. With Government support and help from various development partners, these organizations carry out noteworthy and laudable work to oppose discriminatory practices and actions against women. They also engage in activities for the empowerment of women.

(a) The National Network of Gender Advocates (RENAG)

40. This is an NGO whose purpose is to promote gender equality in decision-making bodies. RENAG carries out various activities aimed at enhancing the representation of women in decision-making bodies at all levels.

(b) The National Network for Women and Development (RNFD)

41. This is a women's organization devoted to promoting women's involvement in the country's economic and social development, on the one hand, and working to combat all discriminatory actions and practices with regard to women, on the other.

(c) The Forum for Comorian Educators (FAWECOM)

42. This is an NGO working on gender equality in the educational field and combating illiteracy. It carries out various activities to promote the education of girls.

(d) *The Comorian Family Welfare Association (ASCOBEF)*

43. This association runs several family planning and reproductive health programmes. It has a counselling and care unit for child victims of abuse and ill-treatment on the island of Ngazidja.

(e) *The Comorian Human Rights Foundation (FCDH)*

44. This foundation is a civil society that promotes, upholds and protects human rights, democracy, good governance and the rule of law. It also addresses issues of children's and women's rights.

(f) *The Elections Observatory*

45. This is a civil society organization that promotes good governance in electoral matters. Since its establishment, it has played a role nationwide in awareness-raising and the monitoring of elections.

(g) *National Platform for Action against Gender-based Violence*

46. It coordinates all the NGOs working against all forms of violence and abuse of women and children.

E. Cooperation with international human rights mechanisms

47. Since the first cycle of the universal periodic review in 2009, the country has not submitted any reports to the treaty bodies. This delay is explained by political and institutional instability linked, on the one hand, to the conflict of authority between the national Government and the autonomous executive bodies of the islands, which affected the functioning of the administration, and on the other, to the lack of high-level staff specialized in human rights and implementation of treaty mechanisms and the absence of an institutionalized system comprising the necessary competencies to better coordinate the Government's commitments to international mechanisms for the implementation of recommendations, performance follow-up and preparation of national reports.

48. Despite this difficult background, through the Human Rights Delegation, the Government has managed to establish relations and to strengthen cooperation with international human rights mechanisms, including the Office of the United Nations High Commissioner for Human Rights, and the International Organization of la Francophonie (OIF), particularly in training and expertise. A training seminar for members of the National Committee for Human Rights and Freedoms organized by the Human Rights Delegation with the support of the High Commissioner and OIF was held in October 2012, and another workshop was organized by the Office of the United Nations Resident Coordinator in the Union of the Comoros, together with the Human Rights Delegation, and with the technical assistance of the High Commissioner as part of the process of preparing the report of the Comoros for the second cycle of the universal periodic review.

49. Cooperation has also been established with the International Committee of the Red Cross (ICRC) in the field of international humanitarian law.

50. The combined report for 1994, 1998, 2002, 2006 and 2010 on the Convention on the Elimination of All Forms of Discrimination against Women was submitted in November 2010.

51. To date, the Union of the Comoros has received no visits from special rapporteurs. However, it is prepared to accept and cooperate with visits from any organization that so requests.

III. Implementation of recommendations and obligations resulting from the first-cycle universal periodic review (UPR) of the Comoros

52. During the first cycle of the universal periodic review, the Union of the Comoros accepted 52 recommendations. The implementation and follow-up of these recommendations was carried out through a vast range of legislative, judicial and regulatory activities as well as national and sectoral policies and programmes, as described below.

A. Instruments of ratification and cooperation with international human rights mechanisms

Recommendations Nos. 1, 2, 3, 4, 5, 6, 22, 23

53. The Union of the Comoros is continuing the process of ratification and implementation of all the conventions that it has signed, including:

- The International Covenant on Civil and Political Rights, by decree No. 01-134/CE of 29 December 2001;
- The International Covenant on Economic, Social and Cultural Rights, by Ratification Act No. 02-004/CE;
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, by decree No. 01-132/CE of 29 December 2001, Ratification Act No. 02-007/CE;
- The International Convention for the Protection of All Persons against Enforced Disappearance;
- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

54. The establishment of the Human Rights Delegation, with the support of the National Commission for Human Rights and Freedoms and of the Inter-Ministerial International Humanitarian Law Commission and the Group on Follow-up to the Commitments of the Government relating to Human Trafficking reinforces the Government's capacity to cooperate with the follow-up mechanisms established by the United Nations in the field of human rights and to submit periodic reports to treaty bodies. The comments to be made on the present report will certainly be taken into account.

B. National and sectoral policies, strategies and initiatives

Recommendations Nos. 7, 8, 5, 16, 17, 18, 19, 32, 50

55. With a view to improved promotion and protection of human rights, a national human rights policy was developed and endorsed following a workshop held in Moroni from 31 October to 1 November 2012.

56. Numerous projects and programmes are being carried out with respect to reduction of maternal and child mortality and improved access of children to health care. These include a project on support to the health sector for 2010, financed by the Agence Française de Développement (AFD), with the purpose of:

- (a) Improving the health of the Comorian population by reinforcing the institutional framework and capacities of health ministries in the Union and on the islands

for defining strategies, creating regulatory and follow-up instruments (information and health planning systems) and carrying out programmes financed by the Global Fund to Fight AIDS, Tuberculosis and Malaria;

(b) Improving the accessibility and quality of basic health services, with particular emphasis on maternal and neonatal health, especially on the islands of Nzwani and Mwali, and the programme for protection of maternal and child health, supported by the United Nations Population Fund (UNFPA) and the United Nations Children's Fund (UNICEF).

C. Normative framework

Recommendations Nos. 5, 9, 24, 27 (Malaysia), 31

57. The Union of the Comoros is a monist State in which primacy is given to international law. It has ratified a number of relevant international and regional instruments.

58. Well before the first cycle of the universal periodic review, the Union of the Comoros had ratified, among others, the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child; the International Covenant on Economic, Social and Cultural Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Elimination of All Forms of Racial Discrimination; and the principal international conventions of the International Labour Organization (ILO), for example the ILO Worst Forms of Child Labour Convention, 1999 (No. 182); the seven fundamental conventions; and the conventions regulating the minimum age for certain types of work, such as Conventions Nos. 5, 10 and 33 on the minimum age for work in the industrial, agricultural and non-industrial sectors.

59. The Comoros has also ratified the African Charter on Human and Peoples' Rights, the Protocol on the establishment of the African Court of Human Rights, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the African Charter on the Rights and Welfare of the Child.

60. In an effort to fulfil the recommendations of the first cycle, the country has been strengthening its legal arsenal through the submission to Parliament of draft legislation, for adoption during the October 2013 session, on the reform of the Criminal Code and the Code of Criminal Procedure. The new Codes have incorporated the international human rights instruments to which the Comoros is a party and have taken into account all the contemporary human rights issues and the recommendations of the first cycle, including on the abolition of the death penalty and the prohibition of the worst forms of child labour and of trafficking in children.

61. It has also adopted Act No. 11-022 of 13 December 2011 on the implementation of the Rome Statute, and by Act No. 11-017/AU of 13 December 2011, it has ratified the Convention on the Rights of Persons with Disabilities.

62. The Union of the Comoros has also reconsidered its position on the use of corporal punishment within the family and in the school and has taken the appropriate steps, including by adoption of a new Labour Code (Act No. 11-022/AU of 13 December 2011, promulgated by decree No. 12/167/PR of 9 September 2012, and a draft decision on the types of jobs and categories of enterprises in which adolescents may not work has been submitted to the Council of Ministers.

D. Institutional framework

Recommendations Nos. 13–14

63. The institutional framework has been strengthened through the establishment of human rights institutions.

64. To this end, the Union of the Comoros has adopted Act No. 011-028/AU of 28 December 2011, promulgated by decree No. 12-042/PR of 18 February 2012 and establishing the National Commission for Human Rights and Freedoms (CNDHL).

65. The National Commission for Action against and Prevention of Corruption (CNPLC) was established by decree No. 11-162/PR of 25 August 2011 and has been operational since September 2011.

66. Decree No. 78/PR was adopted with a view to strengthening the Human Rights Delegation. The General Office for Solidarity and Gender Advocacy was established by decree No. 11-201/PR of 15 September 2011.

67. With the support of OIF, the Comorian Government has reinforced the institutional and human resources of the Constitutional Court and the Supreme Court. Thanks to the Peacebuilding Fund, the Government was able to renovate two rooms to serve as offices for the Human Rights Delegation, and arrangements are being made to place a service vehicle at its disposal.

E. Political and civil rights

1. Family rights

Recommendation No. 37

68. The Gender Office regularly carries out awareness-raising activities concerning the Family Code. Training workshops to inform judges, legal scholars, mayors, heads of women's associations and village chieftains about the Code were organized from 2010 to 2012.

69. In 2012, the Code was translated into Arabic and the national language, Shikomori, and broadly disseminated. The legal machinery for the application of the Code has been reinforced.

2. Religious freedoms

Recommendations Nos. 38–39

70. No one is repressed for his or her religious beliefs in the Union of the Comoros. There is no visible religious minority: the entire population has the same culture and traditions.

F. Economic, social and cultural rights

1. Right to health

Recommendation No. 42

71. In an effort to reinforce the national health system and health infrastructure, the Government has decided that emergency care should be provided free of charge and caesarean sections performed at half their normal price.

72. A special account funded by a single administrative deduction has been set up at the Comorian central bank in order to finance emergency care.

73. New health infrastructure has been created, including a dialysis centre which was opened at the national hospital with support from Egypt in 2011.

74. The maternity ward at the Domoni medical and surgery unit was renovated under an AFD project on support to the health sector. The focus is on refurbishment and equipment of hospital units, training and basic health improvements.

75. To promote access of the population to health care, a network of mutual health insurance funds is being supported by the Government.

76. Act No. 11-004/AU of 26 March 2011 regulating the mutual health insurance funds of the Union of the Comoros has been adopted and promulgated by decree No. 11-143/PR of 14 July 2011.

2. Right to education

Recommendations Nos. 46, 47 and 48

77. Illiteracy is not a serious problem in the Union of the Comoros. The population can read in the national language (Shikomori), Arabic and/or French.

78. Still, in the Interim Education Plan for 2013–2015, a policy, strategies and procedures were worked out for definitively eradicating illiteracy. A literacy office has been set up under the Ministry of Education.

79. The Government has made education the mainspring of the country's economic and social development. In addition to Act No. 95-035/AF on education, four major documents have been adopted:

- A report on the national educational system, issued in February 2012 with financing from UNESCO (Dar Es Salaam office) and support from the local UNICEF office;
- A note on sectoral arrangements for education, dealing with the financial constraints associated with structural and managerial deficiencies that affect education;
- A letter on educational policy, taking account of the Act on education policy guidelines, the Millennium Development Goals, the Growth and Poverty Reduction Strategy Paper and a letter from the Head of State to the Minister of Education sketching out the broad outlines of Government policy on education;
- The overall plan for education for the period 2015–2020.

80. From 2009 to 2013, classrooms were constructed in various regions with Government funding and the assistance of the NGO Qatari Charity.

81. From 2009 to 2011, the overall school enrolment rate increased from 77.1 per cent to 79.4 per cent.

G. Specific categories of rights

1. Rights of the child

Recommendations Nos. 14, 17, 27 (Jordan), 27 (Bangladesh), 29, 32, 33, 34, 36, 43

82. Well before the first cycle in 2009, the Union of the Comoros had set up care structures for children and women victims of abuse and ill-treatment. On the other hand, there are no shelters or reintegration centres for children and women at risk.

83. Vice squads and juvenile units have been set up in police stations under Ministry of the Interior decision No. 11/528/MIID of 29 December 2011.

84. A juvenile ward was built during the renovation of the Koki short-stay prison on the island of Nzwani, using financing from the Peacebuilding Fund.

85. Cross-cutting strategies ensuring better access to education for all children have been outlined in the Interim Education Plan for 2013–2015.

86. The awareness-raising campaign for systematic birth registration that was begun in 2005 has continued through the present.

87. The systematic registration of all births has been facilitated by the construction in June 2012 of 99 new civil registry offices, 76 on Ngazidja, 20 on Nzwani and 3 on Mwali.

88. From 3 to 13 September 2013, as part of the efforts to combat child labour, the CNDHL organized awareness-raising workshops on the worst forms of child labour for heads of Koranic schools on Ngazidja, Mwali and Nzwani.

89. From 4 to 6 March 2012, national round tables on sexual and all other forms of violence were organized in Moroni by the Ministry of Justice and Human Rights.

90. In Moroni, from 18 to 19 October 2013, the Indian Ocean Commission (IOC), a regional organization of five countries including the Union of the Comoros, organized regional round tables on violence against girls and women.

91. In November 2013, the Government organized national round tables on the worst forms of child labour through its ministry responsible for employment.

92. The projected revisions of the Criminal Code include the prohibition of paedophilia, pornography, trafficking in children, the worst forms of child labour, pimping, abduction of minors, enslavement and smuggling of children.

2. Women's rights

Recommendations Nos. 16, 25, 27 (Jordan), 27 (Lebanon)

93. Women have the same rights as men in the Union of the Comoros. There is no gender-based discrimination.

94. All forms of violence against women are punishable under the Criminal Code and the Family Code. Specific measures have been adopted to promote gender equality, including women's participation in decision-making bodies and the creation of platforms for women in business, women in politics and women in sustainable development.

95. The Government has developed a policy for giving women access to loans and a ministry for women's involvement in business has been established.

96. On 12 April 2013, the Ministry of Health launched a campaign to reduce the maternal mortality rate (CARMA).

97. A national federation of midwives and birth attendants, who help to promote maternal and child health, has been established.

3. Rights of persons with disabilities

Recommendation No. 28

98. The Government includes policies to benefit persons with disabilities among its efforts. It has ratified the Convention on the Rights of Persons with Disabilities and is in the process of ratifying the Optional Protocol: the bill has been submitted to Parliament.

99. The Government values and supports the National Federation of Persons with Disabilities, particularly in the areas of education, health and sports.

100. The Movement of persons with disabilities helps to defray the Government's expenditure on the Indian Ocean Island Games. It is affiliated with several regional and international organizations.

101. It is an active member of civil society and is involved in the Government's advisory groups, such as the National Commission for Human Rights and Freedoms.

102. In the context of respect for human dignity, equality among citizens and international standards, consideration is being given to adapting some infrastructure to persons with disabilities.

H. Right to a healthy environment

Recommendation No. 44

103. Problems related to the environment, biodiversity and climate change are of major concern to the Government in such a fragile small island State. A manifesto committing the Government to sustainable development has been adopted.

104. Scientific studies on the country's environmental vulnerability have been made and endorsed by the Government. They serve as the backdrop to the development of public policy in this area.

105. The Government has ratified 12 international and regional conventions, including the United Nations Framework Convention on Climate Change.

106. It cooperates closely with the Indian Ocean Commission (IOC) and the United Nations Environment Programme (UNEP) in combating climate change and preserving biodiversity and the coral reef.

107. Arrangements have been made for the collection and storage of household waste in urban areas.

108. A national contingency plan for action in the event of natural disaster has been adopted. It is to be implemented by the Office of Civil Security.

109. A unit responsible for follow-up to the United Nations Framework Convention on Climate Change has been set up under the environmental department.

110. National and community-based NGOs are active in the environmental field. They have the Government's encouragement and support.

I. Good governance (democracy, action against corruption and impunity)

Recommendations Nos. 21, 23

111. The Human Rights Delegation, the National Commission for the Prevention of Corruption, the National Commission for Human Rights and Freedoms and civil society regularly carry out a range of educational and awareness-raising activities, sometimes focusing on the legislation on the status of civil servants and the criminal legislation on corruption.

112. As part of the efforts to combat impunity, the Human Rights Delegation has the role of ensuring the implementation of Government policy regarding national rules of law and the conventions ratified by the Government, while the National Commission for Human Rights and Freedoms (CNDHL) has competence for the handling of complaints and investigations.

113. The National Commission for Action against Corruption may take the initiative on financial crime.

114. A national strategy for action against corruption has been adopted, followed by a five-year plan.

IV. Status of recommendations not accepted during the previous review

115. During the previous review in 2009, a total of seven recommendations were not accepted or taken into account by the Union of the Comoros.

116. The death penalty (Recommendation No. 1, Slovenia) is recognized in Comorian legislation. Individuals found guilty of murder and similar crimes, of whom there are about 10, are currently in prison. Well before 2009, however, no executions were carried out. In the spirit of General Assembly resolution 63/168, a moratorium on the death penalty is being observed.

117. The draft revision of the Criminal Code and the Code of Criminal Procedure covers the death penalty. The draft has been submitted to Parliament for the October 2013 session. This is a major step for a Muslim country like the Comoros.

118. Corporal punishment by the family and at school (Recommendation No. 2, Slovenia) is not a practice in Comorian society. The Union of the Comoros is a country of tolerance and non-violence inhabited by a peace-loving population imbued with the humanist ideals of religion and traditions of peace, solidarity and forgiveness.

119. In each village, the traditional structures that underpin community life operate to ensure tranquillity and coexistence. There are sanctions of a social nature. In a country where there is a cult of honour and dignity, everyone voluntarily adheres to these standards.

120. Causing injury wilfully is an offence under the Criminal Code. The upcoming revision of the Code includes provisions prohibiting corporal punishment of children and defenceless persons. The educational inspectorate provides oversight of what goes on in the school system.

121. Effective protection of journalists against threats and aggression and assurances of the investigation of such violence and punishment of perpetrators (Recommendation No. 3, Czech Republic) are realities under the law of the Union of the Comoros. To date, no such violence has been observed. Nevertheless, the code on information, adopted in 1994 and amended in 2010 (Act No. 10-009/AU of 29 June 2010), covers respect for the physical

integrity of journalists and protection of their sources. The independent control and regulatory body called the National Council for the Press and Audiovisual Media that was envisaged in the law containing the code on information was established by decree No. 11-074/PR.

122. There is no political majority in Parliament that would enable provisions of the criminal law penalizing consensual same-sex relations among adults to be reviewed, and in any case, this is not a real problem in our country (Recommendation No. 4, Czech Republic).

123. The organization of awareness-raising campaigns that would promote tolerance in this regard, as suggested, would simply shock the sensibilities of the country's Muslim population and provoke irrational, uncontrollable situations constituting threats to public order and social harmony. In any event, the systematic uncovering and repression of such acts is not part of criminal policy.

124. It is not the Government's responsibility to "take measures to enable Muslims to convert to religions other than Islam" (Recommendation No. 5, United Kingdom). People are free to believe or not to believe. It is true that in Muslim countries a change of religion is called apostasy. It is also true that prior to 2009, persons were prosecuted for having changed religion. But this took place against a backdrop of provocation and manipulation, and the convictions were intended to appease public outrage.

125. Freedom of belief is tolerated in the Union of the Comoros. For example, masses are organized every Sunday by the Catholic community, which has its church and belfry, its clinic and its pharmacy. Nuns and other members of religious orders live freely among the Comorians. Other religions are also practised openly, with no fear or repression.

126. The second part of Recommendation No. 5 requests the Government to "allow those of other faiths to proselytize". The position of the Comorian Government has not changed, given the mindset and religious consciousness of society.

127. It is true that in the Union of the Comoros, Islam binds society together. It is the soul of society. But it is in no way rigidly moralistic or intolerant. Practicants of other religions are not harassed.

128. For reasons of social and political stability, in a Muslim country, one cannot promulgate laws to authorize and promote proselytization of another religion. This would be seen as a provocation.

129. Recommendation No. 6, made by Italy, overlaps with Recommendation No. 5.

130. The Government is aware of the need to eliminate all forms of discrimination in all areas of life. It will act according to society's capacity to internalize the necessary changes.

131. The response given in paragraph 130 above is valid for Recommendation No. 7 made by the Netherlands.

V. Progress and best practices

A. Improved fulfilment of civil and political rights

132. To enhance respect for human rights, in November 2012 the Union of the Comoros adopted a national human rights policy calling for communication, protection and promotional activities taking into account the whole range of human rights.

1. Right to life

133. Although the death penalty is in effect, no execution of persons condemned to capital punishment has been recorded since the first cycle in 2009. The draft legislation on amendment of the Criminal Code has abolished the death penalty. The Code also stiffens the penalties for anyone who commits murder, assassination, infanticide or other crimes.

2. Effective action against torture, punishment and other cruel, inhuman or degrading treatment

134. The draft legislation on the Criminal Code, specifically article 273 thereof, strictly prohibits torture. It is in line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Article 255 of the Criminal Code also prohibits trafficking in persons.

3. Deprivation of liberty

135. Using the Peacebuilding Fund, specifically the programme of support for the effective administration of justice and respect for human rights, the Government has been able to renovate the Koki short-stay prison on the island of Nzwani. The juvenile ward has been reconstructed. A new child-friendly courtroom was built in Moroni in 2012.

136. A compendium of legislative and regulatory instruments was published by the Ministry of Justice.

137. New premises for the law courts in Fomboni, on Mwali island, were built and handed over to the Government in April 2012.

4. Right to information and freedom of expression

138. With the adoption of Act No. 10-009/AU of 29 June 2010, a code of information and communication was adopted, strengthening freedom of information, the rights of journalists and the protection of sources.

5. Improved good governance

139. Since the previous review in 2009, the Union of the Comoros has continued to strengthen the legal and institutional framework for good governance and the promotion and protection of human rights.

140. Free, democratic, pluralistic and transparent elections were organized at the national and local levels in 2009 and 2010. Since the elections were organized in a uniform manner, it was possible to reduce expenditure, and their peaceful conduct helped to reinforce the stability of the institutions and to promote civil concord and good governance, since the tension between the Union and the executive authorities of the islands has been relaxed and the trust of the population in elected officials renewed.

141. One hundred women participated in the various national and local elections.

142. The country has gained experience in the organization and monitoring of elections, and this has been acknowledged.

143. Democracy in daily life is a reality: it is visible in freedom of expression and association and the right to strike.

144. The Government is continuing to incorporate the international legal instruments to which it is a party.

145. The legal framework has been supplemented, among other things, by the establishment of the Supreme Court. The corps of lawyers and justice officials is growing in size.

146. Comorian civil society is moving rapidly forward. It plays its rightful role in the democratic process, with the operation of counterbalances and in the education of the population. The National Consumer Protection Federation, the NGOs involved in the protection of human rights and the environment and many others are a source of democratic enrichment and awareness-raising.

147. It must be recalled that with the change of governments, from colonialism to independence, the legal instruments on human rights, protection of women and children and civil and political rights were reaffirmed as part of Comorian legislation.

B. Dynamic efforts to promote economic, social and cultural rights

1. Enhanced economic rights

148. Sustained efforts in the economic and financial sphere have made it possible to benefit from the highly indebted poor countries initiative (HIPC).

149. A strict mechanism for tracing the money obtained from citizenship by investment has been instituted.

150. A commission against corruption has been established. A national commission for human rights and freedoms has been set up. An interministerial international humanitarian law commission has been instituted. A group on rigorous follow-up to the Government's commitment to combating human trafficking has been set up. The fact that there is a platform for female entrepreneurship is a positive development.

2. Improved right to work

151. Traditionally, it has been for the State and civil society to promote human rights. However, the economic progress that is key to the enjoyment of human rights cannot be achieved without the active involvement of the private sector, which then becomes a major player in the promotion of human rights.

152. Accordingly, the Comorian Government involves the private sector in its thinking and initiatives. Among the Government's priorities are reduction of unemployment, particularly among young people, and promotion of the private sector. It has set up a National Agency for Investment Promotion (ANPI) which, among other responsibilities, acts as the liaison between entities that propose investment projects and the administration and has tackled a wide range of reforms, recommendations and initiatives in order to open up the economic environment. It runs an "employment house" which was inaugurated on 23 March 2013.

153. This institution, which is administered by the Ministry of Employment, Labour and Women's Entrepreneurship, brings together several players, including labour unions. It is involved in job training and placement. It works with the Ministry of Finance and the Chamber of Commerce, Agriculture and Industry to rationalize the enterprise creation procedures.

154. The investment code has been amended, according five-year advantages to new investors. The business climate has been improved. Efforts are being made to revive tourism, which generates a pool of job opportunities. Emphasis is placed on technical education to fit the needs of the economy.

3. Social security

155. A major aspect of the Government's efforts is the protection of workers and the strengthening of labour legislation.

156. The texts governing the social welfare fund were amended by Act No. 12-021/AU of 25 December 2012, promulgated by decree No. 13-20/PR of 14 February 2013, in the interests of clarity and to facilitate access by workers to medical coverage and other necessities.

157. In May 2012, the Comorian Government adopted a national solidarity policy intended to enhance the long-term, comprehensive social security coverage of workers, including those in the informal sector, and to reorganize medical insurance to make coverage more extensive and subsequently universal, with particular regard for persons with disabilities, orphans, the poor and widows.

4. Right to food

158. The Comorian Government is committed to achieving self-sufficiency in food production by facilitating access to loans for fishing, animal husbandry and farming and providing the necessary expertise. Particular attention is devoted to the respective trade associations.

159. A national platform on women, sustainable development and food security has been set up. A national NGO involved in food security and local product promotion is taking part in the effort to achieve food self-sufficiency.

5. Right to housing

160. The phenomenon of the homeless does not exist in the Union of the Comoros. Although housing is not of the highest quality, it may be described as decent, and it is improving over time. Nevertheless, efforts need to be made in some regions to ensure that hygiene and health standards are respected.

6. Right to health

161. Despite its limited resources, the Government is concerned about the health of the population. Measures to ensure that emergency hospital care is provided free of charge have been adopted, including through ministerial decisions in 2012.

162. A strategic plan on human resources for health and a new national health-care development plan for 2010–2014 have been adopted.

163. A package of measures to make a real impact on maternal and child mortality has been adopted and integrated into the new health-care development plan.

164. Policies on health and nutrition have been developed.

165. A comprehensive multi-year immunization plan through 2014 and guidelines for the health information system have been adopted.

166. A fund was set up in order to halve the cost of caesarian sections, from 20,000 to 10,000 Comorian francs (US\$ 50 to 25). Consideration is being given to making caesarians free of charge.

167. The Government has reformed the health code, envisaging general improvements in the health-care system (referral and supplementary).

168. In cooperation with the Agence Française de Développement, the Comorian Government has launched a health sector support project emphasizing infrastructure.

169. A campaign to eradicate malaria has been undertaken.
170. The Government has received support from UNFPA for instituting a programme for the protection of maternal and child health.
171. All newborns are generally inoculated against measles, but to promote better health, from 17 to 21 June 2013, the Government organized a comprehensive measles immunization campaign for children aged 9 months to 5 years.
172. In order to strengthen the intensive care services available, a dialysis unit was set up in the national hospital in 2011, with the support of Egypt.
173. A policy on health and the environment has been adopted.
174. Villages are participating in the effort to improve health infrastructure coverage nationwide through the construction of health centres, clinics and storage facilities for medical supplies.

C. Major progress in the fulfilment of specific categories of rights

1. Rights of the child

175. The Government can bring to bear its legal arsenal and intensive awareness-raising efforts carried out through State and non-State institutions and organizations in stepping up its policy of combating child labour. Massive school enrolment of children has been facilitated by the extension of the public school network to even the most remote villages, societal evolution, parents' realization of the need for their children to be educated and not held back by ignorance and the development of civic spirit.

176. National round tables on child labour have been organized by the ministry responsible for employment in order to establish the best conditions for coping with this problem.

2. Intensive promotion of women's rights and gender equality

177. The Indian Ocean Commission (IOC), a regional organization of five countries including the Union of the Comoros, has set up platforms for women in business and women in politics that are very active.

178. Women are members of decision-making bodies; they hold high-ranking positions in the judiciary and the Government and serve as lawyers and heads of central administrative bodies.

VI. Challenges and constraints

179. The Union of the Comoros is an extremely impoverished country with few resources that is constantly facing budget deficits.

180. Despite the State's efforts to attract investment to modernize the basic economic infrastructure, school and health facilities are often financed by the local communities. Hospitals and their equipment are outdated, and the roads are in poor condition.

181. More support structures for women and child victims of sexual violence or abuse should be built and endowed with more human and material resources.

182. The country has long lacked funding for investment. The unemployment rate is alarming, particularly among people less than 30 years of age, who make up 73 per cent of the population.

183. The institutions dealing with human rights, like most administrative units, lack staff specialized in human rights and international mechanisms.

184. These deficiencies are detrimental to human rights, constituting an involuntary violation of them; budgetary constraints hinder real progress in the enjoyment of human rights.

185. Such constraints handicap existing good intentions to work towards better fulfilment of the human person. The reluctance of women to enter the electoral fray, doubtless because of the bruising nature of politics, is unfortunate. Social and cultural pressures must be countered by the extension of human rights to all spheres of life.

186. In August 2013, a group was set up to coordinate follow-up on the commitments undertaken by the Comorian Government, particularly with regard to trafficking in persons.

VII. Expectations in terms of capacity-building and technical assistance

187. These include:

- Strengthening the capacity of institutions responsible for the promotion and protection of human rights;
- Training and assistance in preparing reports for submission to treaty bodies;
- Training in communication techniques for improved education on the necessary behavioural changes;
- Training of women for involvement in politics;
- Improvement of the penal system through the construction of prisons that meet the standards of respect for human dignity and preparation for reintegration in society through the training of prison guards and specialized educators;
- Training of judges to specialize in financial crime and combating piracy at sea;
- Training of judicial officers;
- Construction of courts to provide proximity to the system of administration of justice;
- Establishment of shelters for women and child victims of abuse and ill-treatment.

Conclusion

188. The Union of the Comoros has made substantial progress in improving the human rights situation since the previous periodic review.

189. It has carried through on 52 of the recommendations that it endorsed and has progressed on the 7 others that it has neither supported nor taken into account.

190. Efforts are being made on a daily basis in respect of human rights. The Comorian Government is ready to cooperate on a regular and sustained basis with the special procedures, the treaty bodies and the agencies of the United Nations that specialize in the field of human rights and with the relevant regional, intergovernmental and subregional institutions.

191. Clearly, there is a need for caution on the political front, but now more than ever, this country facing a difficult domestic and regional environment needs many forms of support from the international community.

192. The fragility of institutions and the economy and intensive social pressures must not be allowed to detract from the sustained efforts required to make such improvements as can be made in the field of human rights.
