



## 人权理事会

普遍定期审议工作组

第十九届会议

2014年4月28日至5月9日

人权事务高级专员办事处根据人权理事会第 5/1 号决议附件  
第 15(b)段和理事会第 16/21 号决议附件第 5 段汇编的材料  
概述

## 哥斯达黎加\*

## 概要

本报告是 10 个利益攸关方<sup>1</sup>为普遍定期审议所提供材料的概述。报告根据人权理事会第 17/119 号决定通过的一般准则编写，其中不含联合国人权事务高级专员办事处(人权高专办)的任何意见、看法或建议，亦不含对具体主张的任何判断或评定。报告所载资料均在尾注中一一注明出处，对原文尽可能不作改动。根据人权理事会第 16/21 号决议的规定，报告酌情单列一章，收录完全依照《巴黎原则》获资格认证的受审议国国家人权机构提供的材料。凡所收到的材料均可在人权高专办的网站上查阅全文。编写本报告时考虑到普遍定期审议的周期及周期内发生的变化。

\* 本文件在送交联合国翻译部门前未经编辑。



## 一. 完全依照《巴黎原则》获资格认证的受审议国国家人权机构提供的材料

1. 哥斯达黎加在编写打击种族主义和种族歧视的计划时与监察员办公室进行了磋商(建议 91.1<sup>2</sup>)，在该进程期间承认有必要制定一项国家政策。<sup>3</sup>
2. 男女同性恋、双性恋、变性者和两性人组织的努力得到支持(建议 89.16<sup>4</sup>)；但主要是通过最高法院宪法法庭的裁决取得进展。<sup>5</sup> 监察员办公室指出，在承认同性结合并就此问题进行监管方面缺乏政治意愿。<sup>6</sup> 虽然宪法法庭于 2011 年宣布《监狱系统技术管理细则》第 66 条中所载“一个不同性别”的措词违反宪法，<sup>7</sup> 进而承认同性结合的伙伴有权到监狱探视，<sup>8</sup> 但监察员办公室于 2012 年指出，当局不愿意处理这类请求，因为当局声称，这将需要制定条款、进行新的心理测试和额外的社会工作。<sup>9</sup> 就监察员办公室提出的一项诉讼案件，宪法法庭以同性恋或涉及卖淫问题为由，宣布适用安全措施的做法不符合宪法，《刑法》第 98 条第 6 款和第 102 条(e)分段中有相关参考。<sup>10</sup>
3. 监察员办公室指出，国家酷刑预防机制已归其管理(建议 89.20<sup>11</sup>)。但是，该机制的活动仅限于视察监狱和警方的看守所，并未扩展至《禁止酷刑和其他残忍、不人道或有辱人格的待遇或处罚公约任择议定书》第 4 条中具体说明的、个人的身体完整性和尊严可能受到损害的其他剥夺自由场所。<sup>12</sup>
4. 因为一项被误导的刑事政策，监狱系统的过度拥挤程度在 2013 年 4 月高达 33%(建议 89.21<sup>13</sup>)。哥斯达黎加已对《刑事诉讼法》和《刑法》进行修订。为了审理一些情节较轻的违法案件增设了一些法院，审前拘留的理由有所增加，对财产犯罪和身体伤害等罪行增加了处罚，结果导致有条件判刑在程序方面的好处被规避，使剥夺自由成为确定无疑之事。<sup>14</sup> 囚犯人数增加导致医疗服务受到影响(建议 89.31<sup>15</sup>)，这一点成为投诉的事由，包括医疗护理被推迟及缺乏运送囚犯到外部医疗机构就诊的车辆与人员等。这方面存在另一相关因素，即缔约国在其报告中声称，在达成医疗服务协议方面取得了一些进展。但司法与和平部与哥斯达黎加社会保险基金之间一直未能达成协议，因为该基金拒绝在监狱内提供服务，面临这一局面，共和国总主计长办公室一直未批准该协议。<sup>16</sup>
5. 2009 年，作为刑事诉讼程序中的防范性措施，又增加了一些审前拘留的理由，依据是关于保护刑事诉讼程序中涉及的受害者、证人和其他各方的法律及《刑事诉讼法》第 239 条之二(建议 89.54<sup>17</sup>)。这一修订导致在没有审讯的情况下剥夺自由的做法被频繁使用。缔约国简单地将建议转给司法机构的做法是不可接受的。<sup>18</sup>
6. 哥斯达黎加政府立法规定设立一个对暴力侵害妇女和家庭暴力问题作出反应和进行预防的国家制度(建议 91.6)，这是一项重大进步，但在实现目标和确保协调方面仍存在问题。<sup>19</sup> 法院在适用有关将暴力侵害妇女定为犯罪的法律方面始终存在问题(建议 89.23<sup>20</sup>)。<sup>21</sup> 全国妇女协会是负责为家庭暴力受害者提供法律援助的机构，但这类服务主要集中在大都市地区(建议 89.28<sup>22</sup>)。<sup>23</sup>

7. 2013 年, 关于贩运人口问题和设立国家打击非法移民和贩卖人口联合会的法律生效, 成为拟订和执行公共政策的法律框架(建议 89.37<sup>24</sup>)。面临的主要挑战包括该法律的执行及通过关爱受害者的措施。<sup>25</sup>
8. 根据半球议程规定的在 2015 年之前消除最恶劣的童工形式及在 2020 年之前完全消除童工的目标, 哥斯达黎加于 2010 年发布了消除最恶劣童工形式的路线图, (建议 89.42<sup>26</sup>、89.43<sup>27</sup>、89.44<sup>28</sup>、89.45<sup>29</sup>、89.46<sup>30</sup>、89.47<sup>31</sup>、89.48<sup>32</sup> 和 89.49<sup>33</sup>)。该路线图已纳入《2010-2014 年国家发展计划》和执行计划, 监察员办公室正在对其执行情况进行后续跟进。<sup>34</sup>
9. 《劳动法》于 2010 年进行了修订, 以便对青少年从事家政工作进行监管, 2011 年颁布了禁止青少年从事危险和有损健康的工作的法律。<sup>35</sup>
10. 监察员办公室是国家促进司法委员会成员, 因而负责监测遵守《关于弱势群体诉诸司法的巴西利亚条例》的情况, 该条例是在第十四届伊比利亚-美洲司法首脑会议上发布的, 2008 年获得最高法院批准(建议 89.55<sup>36</sup>)。<sup>37</sup>
11. 哥斯达黎加通过第 9048 号法(2012 年)对《刑法》进行了修订, 以便对电脑犯罪问题进行监管(建议 91.9<sup>38</sup>)。鉴于社会上的反应, 立法大会通过了第 9135 号法(2013 年), 对第 293 条进行了修订, 旨在使国家机密的标准与宪法判例法相一致。然而, 一项有关是否符合宪法的案件正在审理当中, 该案件由监察员办公室提出, 涉及未能对国家机密进行充分监管以及公共实体保存的个人数据的透明度和可获得性等问题。<sup>39</sup>
12. 根据《宪法》, 哥斯达黎加拥有一项国教, 导致除天主教会以外的其他宗教或教会很难在公共事务中发挥作用(建议 91.10<sup>40</sup>)。<sup>41</sup>
13. 据监察员办公室报告, 保障选举机构中性别平等的《选举法》修正案在 2010 年选举期间生效, 由于一项是否合宪的诉讼案尚未结束, 关于女性名额的第 8901 号法<sup>42</sup> 被暂停执行(建议 89.12<sup>43</sup>、89.13<sup>44</sup> 和 89.15<sup>45</sup>)。<sup>46</sup>
14. 立法大会在讨论可能影响到土著人民的权利和利益的法案时通常不与土著人民协商(建议 91.11<sup>47</sup>)。也没有一项供土著人民参与涉及其福利与发展的决策的机制。<sup>48</sup>
15. 《2010-2014 年国家发展计划》中纳入了一项非缴费型福利计划, 作为应对赤贫者处境的战略(建议 89.60<sup>49</sup> 和 89.63<sup>50</sup>)。一项主要投诉正在缓慢处理之中。<sup>51</sup> 非缴费型计划的现状体现出不同政府采取的似是而非的减贫措施, 大多数这类措施是针对特定人群的福利政策, 但缺乏一些起支撑作用、帮助他们打破贫困循环的总体社会政策。<sup>52</sup>
16. 关于建议 89.66,<sup>53</sup> 监察员办公室报告称, 根据《移民和外国人法》, 移徙者必须向哥斯达黎加社会保障基金缴费, 作为处理其移徙申请的先决条件。鉴于存在这项义务, 该基金要求移徙者必须具备合法身份。这些相互矛盾的义务导致移民和外国人办公室与该基金在协调方面出现问题。<sup>54</sup>

17. 关于土著人民获得住房的问题(建议 89.67<sup>55</sup> 和 89.68<sup>56</sup>)，当局设立了一个委员会，负责对土著领地内的住房分配进行监管。<sup>57</sup>
18. 上述基金没有用于处理堕胎问题的标准程序(建议 91.12<sup>58</sup>)，说明其不愿意承认性权利和生殖权。<sup>59</sup>
19. 监察员办公室认为，将性教育纳入基础教育<sup>60</sup> 以及发布处理暴力侵害未成年人的计划是重大的进步。<sup>61</sup>
20. 为确保儿童留在学校系统，哥斯达黎加的小学和中学设有奖学金；但是，一些缺陷在现实中阻碍儿童接受教育(建议 89.69<sup>62</sup>、89.70<sup>63</sup>、89.71<sup>64</sup> 和 89.72<sup>65</sup>)。<sup>66</sup>
21. 监察员办公室参加了依照《移民和外国人法》拟订规章的工作，就一些草案提供了评论(建议 89.78<sup>67</sup> 和 89.79<sup>68</sup>)。<sup>69</sup>
22. 监察员办公室还在后续跟进和执行国际人权义务机构间委员会享有观察员地位(建议 89.86<sup>70</sup>)。<sup>71</sup>

## 二. 其他利益攸关方提供的材料

### A. 背景和框架

#### 1. 国际义务范围<sup>72</sup>

23. 非洲人后裔组织联盟(联署材料 5)表示关切的是，尽管哥斯达黎加于 2011 年签署《经济、社会、文化权利国际公约任择议定书》，但还未完成批准该文书的程序。<sup>73</sup>

24. 非政府组织联盟指出，为了将国内法与国际标准相统一，哥斯达黎加必须批准《保护所有移徙工人及其家庭成员权利国际公约》。共和国总检察长办公室已表明，该办公室没有法律理由反对批准《公约》：没有法律或合宪方面的冲突。<sup>74</sup>

#### 2. 宪法和法律框架

25. 拉丁美洲性别和权利空间—性权利倡议(MULABI-SRI)指出，哥斯达黎加已通过主要的联合国人权文书，《宪法》规定这些文书超越国内法。宪法法庭已宣布，只要这些文书给予更多的个人权利和保障，它们即优先于《宪法》。<sup>75</sup>

26. 青年网络联盟(联署材料 6)建议促请立法大会批准有关承认哥斯达黎加的多民族和多文化性质的《宪法》第 1 条修正案，该法案已提交议会审议 5 年之久。<sup>76</sup>

### 3. 体制和人权基础设施以及政策措施

27. 布里斯托尔大学人权执行中心(人权执行中心)提出以下问题,以供在普遍定期审议期间审议:指定监察员办公室作为《禁止酷刑公约任择议定书》条款规定的国家预防机制缺乏法律基础;没有给予国家预防机制充分的筹资和财政自主权。<sup>77</sup>

28. 人权执行中心还指出,设立国家预防机制并未充分满足《禁止酷刑公约任择议定书》有关“剥夺自由场所”概念的规定。该机制的授权仅限于司法部和公共安全、内政和警察部管辖的机构。<sup>78</sup>

29. 人权执行中心指出,指定监察员办公室作为国家预防机制的总统令<sup>79</sup>于2007年发布,但该机构注意到,指定这一机制仅仅是法律通过前的一项临时措施。尽管在第一轮普遍定期审议期间提出了这一问题,但并未通过这方面的法律。<sup>80</sup> 监察员办公室于2008年针对同一目标提出了一项建议,于2011年编写并向立法机构提交了一份有关设立国家预防机制的法律草案。该法律草案于2012年获得立法机构人权委员会批准,列入了议会议程,但自那以来没有任何进展。据人权执行中心称,监察员办公室多次呼吁确定这一法律基础,但迄今为止未取得任何进展。<sup>81</sup>

30. 人权执行中心注意到,在对哥斯达黎加进行第一轮普遍定期审议期间,提出了国家预防机制的筹资问题(建议 89.20<sup>82</sup>),哥斯达黎加将这一建议列入了已执行或正在执行的建议当中。人权执行中心注意到,尽管所称如此,但国家预防机制在其2011和2012年的年度报告中表示其缺乏资源。<sup>83</sup>

31. 联署材料 6 强调,哥斯达黎加努力编写一份有关种族主义、种族歧视、仇外心理和一切不容忍形式的国家行动计划,以非洲人后裔作为目标群体,这一努力符合在德班审查会议上宣布并在2009年普遍定期审议期间重申的承诺。<sup>84</sup>

32. 联署材料 5 建议为非洲人后裔制定多样化和具有针对性的公共政策,设立有组织的程序,与他们进行磋商,<sup>85</sup>并在发展计划中纳入以非洲人后裔为重点的方案与项目。<sup>86</sup>

33. 联署材料 6 指出,哥斯达黎加根据《青年人法》(第 8261 号法)设立了一项全国青年制度,旨在将青年人作为社会行为者纳入政府议程。<sup>87</sup> 联署材料 6 建议在全国青年调查时以及在设计和落实公共政策方面纳入有关族裔、种族、残疾状况和性别多样化方面的内容,并为扶持行动提供支持。<sup>88</sup>

34. 联署材料 4<sup>89</sup> 提请注意国际人权义务机构间委员会的开放性,该委员会负责哥斯达黎加对普遍定期审议提交的报告,还提请注意从事落实和履行人权的民间社会组织的参与。<sup>90</sup>

## B. 履行国际人权义务的情况

### 1. 平等和不歧视

35. 联署材料 4 报告说，尽管取得了一些进展，但对妇女的歧视仍然存在。<sup>91</sup>

36. 联署材料 4 提及涉及以下问题的建议：歧视，尤其是种族歧视，<sup>92</sup> 保护弱勢儿童，特别是移徙儿童和土著儿童。<sup>93</sup> 联署材料 4 建议策划有关文化多样性的提高认识运动；继续努力制止歧视和仇外心理，尤其是针对移徙儿童的歧视和仇外心理；并确保移徙者居住的城市边缘地带的安全。<sup>94</sup>

37. 联署材料 5 建议开展公共宣传活动，以制止结构性种族主义、种族歧视、仇外心理和所有其他不容忍形式，同时促进包容性、社会凝聚力和对多样性及多元文化价值观的尊重，<sup>95</sup> 并设立起诉种族主义行为肇事者的机制。<sup>96</sup>

38. MULABI-SRI 指出，虽然《宪法》保障平等权和不歧视，但男女同性恋、双性恋、变性者和两性人群体的成员受到严重歧视。<sup>97</sup> MULABI-SRI 建议制定提高认识政策和方案；给予那些因性身份、性别表达或性取向导致权利受到侵犯的个人更为便捷地诉诸司法的途径；取消《刑法》和其他任何法律及规章中的歧视性条款。<sup>98</sup>

39. 关于性的多样性问题，非政府组织联盟报告说，某些群体仍然是歧视性待遇的受害者。非政府组织联盟建议将基于性取向和性身份的歧视定为犯罪，承认同性伴侣的合法权利，为旨在打击基于性取向和性身份的歧视的公共政策划拨资金。<sup>99</sup>

40. MULABI-SRI 报告说，两性人、异装癖者和变性人是性多样化群体的一个组成部分，其权利常常受到侵犯。<sup>100</sup> MULABI-SRI 建议修订《民法》，允许变更身份证件上的姓名和性别，提高这方面的认识，并制定有利于两性人的政策。<sup>101</sup>

41. 非政府组织联盟报告说，感染艾滋病毒的人仍然受到鄙视和歧视。虽然法律禁止将他们开除，但仍发生其被开除的事件。保密权仍然受到侵犯，导致艾滋病毒为阳性的人受到歧视和排斥。<sup>102</sup>

### 2. 生命权、人身自由和安全权

42. 非政府组织联盟报告说，被剥夺自由者的人权仍然受到侵犯，如监狱过度拥挤，成人和儿童没有分开关押，缺乏医疗保健服务等。<sup>103</sup>

43. 非政府组织联盟还报告说，尽管暴力侵害妇女行为被定为犯罪，但妇女的安全始终受到威胁。该联盟建议实施公共政策、程序和准则，以全面保护 18 岁以下女性免受暴力作为重点，并制定调查程序，以应对结构性和系统性暴力侵害妇女行为。<sup>104</sup>

44. 联署材料 4 承认哥斯达黎加就第一轮普遍定期审议的建议开展后续行动，努力制止虐待儿童和暴力侵害儿童行为。<sup>105</sup> 但是，联署材料 4 指出，在家中、学校、由教师、医生和警察实施的暴力继续发生。由于案件过多和官僚主义的原因，国家儿童福利署的工作效率低下。<sup>106</sup>

45. 非政府组织联盟指出，在保护儿童和青少年方面缺乏动力，主要是因为资源稀缺，应对商业性剥削、童工和儿童从事家政工作等问题的一般性政策薄弱。该联盟建议将各种童工形式分类，以便制定适当的公共政策，并以有效和协调的方式落实“国家儿童保护制度”。<sup>107</sup>

46. 联署材料 4 欢迎哥斯达黎加政府努力落实有关消除贩运人口、性剥削和童工的方式的建议。<sup>108</sup> 联署材料 4 注意到，尽管存在广泛的法律框架，但在适用法律和向犯罪者追究责任方面仍然存在许多问题。当局在瓦解有组织犯罪群体方面的努力仍然不足。<sup>109</sup>

47. 非政府组织联盟报告说，哥斯达黎加已迈出巨大步伐，但还需要开展更多工作协助贩运人口的受害者、记录贩运人口案件并提高对歧视的认识。《刑法》规定贩运人口为犯罪行为，有一个反对贩卖人口全国联盟，但法律的执行仍然面临挑战。非政府组织联盟建议加强机构间和部门间的协调，为被贩卖的男性受害者设立专门的庇护所，完善有关受害者援助的统计资料，为司法人员提供培训并制定提高认识战略，尤其是针对弱势人口的战略。<sup>110</sup>

48. 非政府组织联盟指出，虽然儿童面临受到各种形式网络虐待的风险，如歪曲影像、诱拐、性引诱、骚扰和网络欺凌，但政府没有将任何这类行为定为犯罪，因此政府提供保护的能力有限。非政府组织联盟建议哥斯达黎加通过有关在暴力和涉及信息和通信技术犯罪的背景下保护青少年权利的《特别法》，并修订《刑法》。<sup>111</sup>

### 3. 司法

49. 非政府组织联盟查明的导致监狱过度拥挤的关键因素包括：管理不当、不加区别地采用审前拘留、新的镇压性法律生效，以及对情节较轻的违法案件起诉过多等。<sup>112</sup> 该联盟建议落实全面的安全政策，将监狱视为最后手段，并改善监狱基础设施，确保维护被剥夺自由者的权利。<sup>113</sup>

50. 非政府组织联盟指出，少年司法制度应以包括正当程序在内的现代人权标准为基础。政府应鼓励使用剥夺自由的替代办法，并支持社会和教育方案。<sup>114</sup>

### 4. 工作权和公正良好工作条件权

51. 关于工作权的问题，联署材料 4 指出，法律的适用存在漏洞和缺陷，并非所有人都能够平等进入劳动力市场。联署材料 4 指出，就工作条件而言，低收入青年人和来自邻国的移民属于弱势群体。<sup>115</sup>

## 5. 健康权

52. 关于哥斯达黎加已接受的有关健康权的建议，<sup>116</sup> 联署材料 4 指出，并非所有人能够同等获得相同质量的医疗保健服务，这一权利得不到充分行使是因为这方面的服务超负荷运转。<sup>117</sup>

53. 生殖权利中心提及哥斯达黎加在第一轮普遍定期审议期间接受或所称正在执行的建议 89.63、<sup>118</sup> 89.65、<sup>119</sup> 89.66、<sup>120</sup> 和 91.12。<sup>121</sup> 生殖权利中心指出，哥斯达黎加禁止使用体外受孕术，<sup>122</sup> 也没有为妇女合法堕胎提供保障。<sup>123</sup> 关于哥斯达黎加政府没有执行美洲人权法院对 *Artavia Murillo* 及其他人、<sup>124</sup> *Aurora* 和 *AN* <sup>125</sup> 等案件的裁决的问题，该中心呼吁理事会敦促哥斯达黎加采取一切必要措施，遵守该法院的裁决。<sup>126</sup> 该中心建议哥斯达黎加采取法律措施，允许不孕不育的夫妇不受歧视地采用体外受孕术，并就接受合法堕胎制定治疗规章。<sup>127</sup> 非政府组织联盟提出类似评论与建议。<sup>128</sup>

54. 非政府组织联盟指出，尤其是沦为性暴力受害者的少女和妇女得不到紧急避孕药品。<sup>129</sup>

55. MULABI-SRI 报告说，关于性取向和性别的偏见顽固不化，损害女同性恋者的健康，尤其是她们的性健康和生殖健康。<sup>130</sup>

56. MULABI-SRI 指出，哥斯达黎加的艾滋病毒/艾滋病集中在男同性恋、双性恋和变性者人群之中。<sup>131</sup>

57. 关于预防艾滋病的问题，非政府组织联盟指出，在通过医学测试快速诊断和普遍获得避孕套方面存在问题。非政府组织联盟还报告说，弱势群体中的艾滋病毒阳性患者很难获得医疗服务，如被剥夺自由者、贫困者、性工作者、男女同性恋、双性恋、变性者和两性人群体、受到忽视的老年公民、吸毒成瘾者以及非正规移民者。<sup>132</sup>

58. MULABI-SRI 建议哥斯达黎加制定方案，为男女同性恋、双性恋、变性者和两性人群体提供全面的医疗服务。<sup>133</sup>

59. MULABI-SRI 还建议哥斯达黎加提高医疗系统的能力，将两性人治疗的新趋势纳入医疗课程。<sup>134</sup>

## 6. 受教育权

60. 联署材料 4 对在继续确保有效落实受教育权方面接受的建议和作出的努力作了评论。<sup>135</sup> 阻碍充分享有这一权利的障碍包括：间接费用导致的不平等权、非标准化的教学质量、留级率和辍学率上升，以及教育机构的网络欺凌等。<sup>136</sup>

61. MULABI-SRI 建议制订消除在学校中的骚扰的政策，确保男女同性恋、双性恋、变性者和两性人享有在无歧视的环境中接受教育的权利，修改宪法法院的决定，给予所有儿童获得全面性教育的权利。<sup>137</sup>



62. 非政府组织联盟建议制定有关确保为儿童和青少年提供高质量教育的公共政策。<sup>138</sup>

## 7. 残疾人

63. 残疾人组织联盟指出，法律还没有按照《残疾人权利公约》的要求进行统一。剥夺残疾人行使其法律能力的权利的做法仍然普遍。<sup>139</sup>

64. 哥斯达黎加尚未履行《公约》第三十三条的要求：没有设立负责在不同机构之间促进和协调执行该公约的机构。<sup>140</sup>

65. 此外，哥斯达黎加政府尚未指定一个机制，负责“促进、保护和监测”该公约的实施，这项职能应由一个独立公共实体，如监察员办公室履行。<sup>141</sup> 据残疾人组织联盟称，监察员办公室曾询问外交部由哪个机构负责这一独立监测工作，外交部提及 2011 年根据第 36776-RE 号行政令设立的国际人权义务机构间委员会。外交部还表示：“作为残疾人问题方面的指导机构，国家康复和特殊教育理事会的意见认为，因为设立了机构间委员会并有国家理事会的参与，所以《公约》第三十三条之下的义务得以履行，因为由该委员会负责监测《公约》。”残疾人组织联盟指出，对条约的这一错误解释应予以纠正，应将该责任赋予监察员办公室。<sup>142</sup>

66. 据残疾人组织联盟报告，残疾人受到基于其残疾、收入和性别的歧视。哥斯达黎加政府没有对土著残疾人的权利给予足够关注。<sup>143</sup>

67. 残疾人组织联盟还报告说，在行动自由、获得信息和通讯等方面的进展缓慢。<sup>144</sup>

68. 残疾人组织联盟指出，自批准《公约》以来，在为残疾人提供包容性和高质量教育方面没有显著进展。教育部没有启动全国包容性教育政策。对组织机构、计划和方案的调整很少。教育通常是隔离的，达不到质量标准。很高比例的残疾成年人无法接受教育。<sup>145</sup>

69. 最后，残疾人组织联盟指出，哥斯达黎加政府尚未提出一项将残疾人纳入劳动力市场的有效政策，提供的技术培训有限。关于融入劳动力市场的数据几乎是象征性的。<sup>146</sup>

## 8. 少数群体和土著人民

70. 联署材料 4 承认哥斯达黎加作出努力，改善土著社区的条件，以落实接受的建议。<sup>147</sup> 然而，联署材料 4 指出，努力的结果不尽人意，土著人民仍被边缘化。他们的语言通常得不到重视，包括在学校里。此外，土著人民的土地所有权问题尚未解决。<sup>148</sup>

71. 联署材料 4 建议保障土著人民的权利，尤其是获得适足住房的权利。<sup>149</sup>

72. 联署材料 5 指出，在南加勒比地区，非洲人后裔因其文化身份而享有的土地权遭到侵犯。2011 年，哥斯达黎加政府颁布了有关承认南加勒比居民权利的法律，但该法律没有解决土地所有权的问题。<sup>150</sup>

73. 联署材料 5 报告说，哥斯达黎加没有根据国际劳工组织 1989 年《土著和部落人民公约》（第 169 号）和《在民族或族裔、宗教和语言上属于少数群体的人的权利宣言》的界定，制定有关与人民、土著群体和非洲人后裔进行磋商的有组织的法律程序。<sup>151</sup> 联署材料 5 表示关切的是，有政府官员到非洲人后裔社区举办有关文化和土地保有权的研讨会，后来声称他们事先进行了磋商，该做法违反国际人权文书。<sup>152</sup>

74. 非政府组织联盟建议制定法律，承认和管理土著人民获得事先磋商的权利，并制定有关土著人民自治发展的法案；为重组和恢复土著人民的土地设立有效机制；保护捍卫土著人民权利者的生命和人身完整。<sup>153</sup>

#### 9. 移徙者、难民和寻求庇护者

75. 非政府组织联盟强调移徙在哥斯达黎加当前的情况下的特别意义，建议哥斯达黎加统一要求，尤其是关于身份证件和费用的要求，提高从事移徙程序工作的官员的认识，确保移徙者能够不受任何歧视地诉诸司法，获得教育、医疗保健服务，并确保其安全。<sup>154</sup>

76. 联署材料 4 建议制定消除贫困的方案，特别关注移徙者和难民的子女。<sup>155</sup>

#### 10. 发展权和环境问题

77. 联署材料 4 注意到蓬塔雷纳斯省的海洋资源被不负责任地使用，尽管存在这方面适用的法律。联署材料 4 建议哥斯达黎加政府就保护环境的重要性，尤其是保护海洋物种的重要性开展宣传活动。<sup>156</sup>

注

- <sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org).

*Civil society*

*Individual submissions*

CRR (CDR)	Center for Reproductive Rights (Centro de Derechos Reproductivos), New York, United States of America;
HRIC	Human Rights Implementation Centre, University of Bristol, United Kingdom of Great Britain and Northern Ireland;

*Joint submissions*

JS1	<b>Joint submission No. 1</b> by MULABI & SRI, Buenos Aires, Argentina;
JS2 (CR-NGOs)	<b>Joint submission No. 2</b> by a coalition of NGOs for UPR-Costa Rica: Asociación Binacional Asociación Casa Hogar San José, Asociación Centro Nacional de Juventudes (CNJ)Asociación de Consultores y Asesores Internacionales (ACAI)Asociación de Trabajadoras Domésticas (ASTRADOMES)Asociación Demográfica Costarricense (ADC)Asociación MANU - Movimiento de Apoyo hacia una Nueva Universalidad, Asociación migrantes nicaragüenses en Costa Rica (AMN-CR)Asociación Nacional de Empleados Públicos y Privados (ANEP)Asociación pro derechos humanos y justicia social (ADHJUS)Asociación Proyecto La SalaA sociación Servicio Solidario y Misionero Unidos en la Esperanza Centro de Investigación y Promoción para América Central de Derechos Humanos (CIPAC)Centro Feminista de Información y Acción (CEFEMINA)Centro por la Justicia y el Derecho Internacional (CEJIL)Centro Internacional para los Derechos Humanos de los Migrantes (CIDEHUM)Centro Sindical de Atención al Trabajador/a Migrante (CSM-CTRN)Coalición de Organizaciones y Grupos de la Diversidad Sexual de Costa Rica (CONODIS)Coordinadora de Sindicatos Bananeros de Costa Rica (COSIBACR)Defensa de Niñas y Niños Internacional (DNI Costa Rica)Enlaces Nicaragüenses de Costa Rica (ENCR)Fundación PaniamorFutbol Por la VidaHermanas Misioneras ScalabrinianasHumanitas de Costa RicaIglesia Luterana Costarricense (ILCO)Liga Internacional de Mujeres Pro Paz y Libertad (LIMPAL)MulabiRed de Jóvenes sin FronterasRed de ONG que trabajan en VIH - Costa RicaRed Nacional de Defensa y Promoción de los Derechos Sexuales y Reproductivos (Red DESER)Refugee Education Trust - The RET – Costa Rica, San Jose, Costa Rica;

- JS3-COPcD **Joint submission No. 3** by la Coalición de Organizaciones de Personas con Discapacidad (COPcD): Foro por los Derechos de las Personas con Discapacidad; Instituto Interamericano sobre Discapacidad y Desarrollo Inclusivo (IIDDI); Asociación Pro Centro Nacional de Rehabilitación (APROCENARE); Federación Pro Personas con Discapacidad (FEREPRODIS); Asociación Movimiento de Vida Independiente (MVI); Asociación de Personas con Discapacidad de Curridabat; Asociación de Personas con Discapacidad de Puriscal; Asociación para la Inclusión Laboral de Perez Zeledón; Asociación para el Desarrollo de las Personas con Discapacidad de Pavas; Asociación Amigos del Grupo de Percusión Inclusión; Asociación Costarricense de Personas Autistas; Asociación de Personas con Discapacidad de Los Santos; Fundación Charcot de Costa Rica; Fundación Andrea Jimenez; Fundación el Futuro es para todos; Movimiento Participación Ciudadana de Alajuela; Asociación de Personas con Discapacidad de Montes de Oca; Asociación de Personas con Discapacidad de Santa Marta, Buenos Aires, Puntarenas; Asociación de Personas con Discapacidad de Buenos Aires, Puntarenas; Concejo Indígena de Lagarto y Puerto Nuevo; Concejo Indígena de Curré; Concejo Indígena de Salitre; Concejo Indígena de Cabagra; Concejo Indígena de Ujarrás; Asociación Indígena Dubon Terraba; Asociación Indígena de Personas con Discapacidad de Boruca Fundación El Portavoz; Cooperativa de Personas con Discapacidad Visual (COOPEAPAD); Asociación para la Prevención de la Salud Mental (APROSAM); De Asociación Cantonal de Palmares Pro-ayuda a la Persona con Discapacidad (APRADIS); Asociación Talita Cumi, Costa Rica;
- JS4 **Joint submission No. 4** by Istituto Internazionale Maria Ausiliatrice (IIMA); International Volunteerism Organization for Women, Education, Development (VIDES International) and the Congregation of Our Lady of Charity of the Good Shepherd, Switzerland;
- JS5 **Joint submission No.5** by Coalición de organizaciones Afrodescendientes para el EPU Costa Rica: Mesa Nacional Afrocostarricense (MNA); Universal Negro Improvement Association (UNIA); Asociación Proyecto Caribe (APC), Costa Rica;
- JS6 **Joint submission No.6** by Coalición de Organizaciones y Redes Juveniles /Coalition of Youth NGOs for UPR-Costa Rica: Asociación Proyecto Caribe, Asociación de Desarrollo y Emprendimiento Tecnológico Inclusivo para Jóvenes con Discapacidad, Centro Nacional de Juventudes y PSG, San José, Costa Rica.

*National human rights institution*

DHR Defensoría de los Habitantes,\* San José, Costa Rica.

*Regional intergovernmental organizations*

IACHR Inter-American Commission on Human Rights - Organization of American States, United States of America.

<sup>2</sup> A/HRC/13/15, para. 91.1. 1. *Design and implement its action plan for strengthening legal and institutional frameworks to combat racism and racial discrimination, ensuring that all legal provisions are fully applied, that racism and racial discrimination are actively monitored and that training is carried out for all relevant authorities to provide equal access to legal redress for all victims of crime (United Kingdom).*

<sup>3</sup> Defensoría de los Habitantes, para.6.

<sup>4</sup> A /HRC/13/15, para. 89.16. *Pursue its efforts in favour of gays, lesbians and transsexuals (France).*

<sup>5</sup> Defensoría de los Habitantes, para.2.

<sup>6</sup> Defensoría de los Habitantes, para.3. See also submission from Coalición de ONGs (CR-NGOs – Joint Submission 2), para.7.

- 7 Decreto33876-J –Reglamento Tecnico del Sistema Penitenciario.
- 8 Defensoría de los Habitantes, para.4.
- 9 Defensoría de los Habitantes, para.4.
- 10 Defensoría de los Habitantes, para.5.
- 11 A/HRC/13/15, para. 89.20. *Ensure sufficient resources for effective functioning of its national preventive mechanism provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and further strengthen mechanisms for independent investigation of alleged cases of torture and for effective access of victims to remedies with special attention to protection of women, children and persons of minority sexual orientation or gender identity (Czech Republic).\**
- 12 Defensoría de los Habitantes, para 10.
- 13 A/HRC/13/15, para. 89.21. *Enhance the policy to prevent, combat and eradicate torture, improve the situation in the prison system and establish alternative sanctions (Brazil).*
- 14 Defensoría de los Habitantes, para 11.
- 15 A/HRC/13/15, para. 89. 31. *Increase efforts to improve prison conditions, including health care (Holy See).*
- 16 Defensoría de los Habitantes, para 15.
- 17 A/HRC/13/15, para. 89.54. *Expediently take appropriate steps towards restricting the use of pretrial detention and its duration and opt for alternative methods whenever possible (Slovakia).*
- 18 Defensoría de los Habitantes, para 19.
- 19 Defensoría de los Habitantes, para 12.
- 20 A/HRC/13/15, para. 89. 23. *Duly implement and review when necessary the law criminalizing violence against women, adopted in April 2007, to ensure due investigations and the punishment of all perpetrators and to prevent further occurrence of these violations as well as to establish a functioning rehabilitation scheme for the victims (Slovakia).\**
- 21 Defensoría de los Habitantes, para 13. See also IACHR Report on Justice for Women Victims of Sexual Violence: Education and Health (2011), OEA/Ser.L/V/II. Doc. 65, 28 December 2011 (available at <http://www.oas.org/en/iachr/women/docs/pdf/WOMEN%20MESOAMERICA%20eng.pdf>).
- 22 A/HRC/13/15, para. 89. 28. *Increase efforts to provide effective assistance to women and girls who are victims of violence, in particular through the provision of safe places and psychological support (Austria).*
- 23 Defensoría de los Habitantes, para 14.
- 24 A/HRC/13/15, para. 89. 37. *Reinforce concrete measures aimed at combating trafficking in women and young girls, and assistance to victims (Belgium).\**
- 25 Defensoría de los Habitantes, para 16.
- 26 A/HRC/13/15, para. 89. 42. *Continue taking efficient measures to eliminate prohibited child labour and prostitution, and to combat the phenomenon of children living in the street, and monitor appropriately the efficiency of measures taken (Slovenia).*
- 27 A/HRC/13/15, para. 89. 43. *Undertake further efforts to eliminate child labour and to protect juvenile workers (Belarus).*
- 28 A/HRC/13/15, para. 89. 44. *Strengthen efforts to eliminate child labour (Chile).*
- 29 A/HRC/13/15, para. 89. 45. *Adopt and implement appropriate efficient policies and programmes and strengthen its efforts in raising public awareness to eliminate child labour (Slovakia).\**
- 30 A/HRC/13/15, para. 89. 46. *Strengthen its policies on protection of minors against child labour and sexual exploitation (Germany).*
- 31 A/HRC/13/15, para. 89. 47. *Reinforce the fight against exploitation of minors, particularly sexual exploitation, through the effective implementation of national and international legal provisions and through maximal use of the National Plan to Combat Commercial Sexual Exploitation (Switzerland).*
- 32 A/HRC/13/15, para. 89. 48. *Increase its capacity to prevent child prostitution, protect victims, continue to raise awareness and prosecute perpetrators (Netherlands).*
- 33 A/HRC/13/15, para. 89. 49. *Take practical steps to address the problems of street children and take effective measures to eliminate prohibited child labour (Azerbaijan).\**

- <sup>34</sup> Defensoría de los Habitantes, para 17.
- <sup>35</sup> Defensoría de los Habitantes, para 18.
- <sup>36</sup> A/HRC/13/15, para. 89.55. *Continue efforts to fight against impunity and human rights violations, with special attention to the rights of indigenous populations, those of African descent, women and HIV/AIDS carriers, as well as to combat all forms of discrimination (Brazil).*
- <sup>37</sup> Defensoría de los Habitantes, para 20.
- <sup>38</sup> A/HRC/13/15, para.91. 9. *Review the legislation on the press offences of libel and defamation with a view to ensuring full protection and realization of the freedom of expression (Czech Republic).*
- <sup>39</sup> Defensoría de los Habitantes, para 21.
- <sup>40</sup> A/HRC/13/15, para.91.10. *Ensure balanced treatment of all religions and grant the same status to all religious marriages (Congo).*
- <sup>41</sup> Defensoría de los Habitantes, para 22.
- <sup>42</sup> Ley 8901 sobre el Porcentaje mínimo de mujeres que deben integrar las directivas de asociaciones, sindicatos y asociaciones solidaristas, aprobada por la Asamblea Legislativa el 3 de noviembre de 2010.
- <sup>43</sup> A/HRC/13/15, para. 89.12. *Intensify its efforts to counter discrimination against women based on whatever grounds (Slovakia).*
- <sup>44</sup> A/HRC/13/15, para. 89.13. *Continue to implement all measures aimed at promoting gender equality, notably by combating all discrimination against women and stereotypes (Algeria).*
- <sup>45</sup> A/HRC/13/15, para. 89. 14. *Intensify its efforts to realize gender equality, including by implementing the recommendation made by the Committee on the Elimination of Discrimination against Women in 2003 aimed at changing social stereotypes that encourage discrimination against women and impede their egalitarian performance in society (Norway).*
- <sup>46</sup> Defensoría de los Habitantes, para 1. See also submission from the Inter-American Commission on Human Rights - IACHR, The Road to substantive Democracy: Women's Political Participation in the Americas, OEA/Ser.L/V/II., Doc. 79, 18 April 2011, paras. 55 and 57 (Available at: <http://www.oas.org/en/iachr/women/docs/pdf/POLITICALpart.pdf>).
- <sup>47</sup> A/HRC/13/15, para.91.11. *Include in its debates, within the framework of the legislative review process, indigenous participation as a democratizing principle for civic participation at all levels, municipal, legislative and executive (Panama).*
- <sup>48</sup> Defensoría de los Habitantes, para 23.
- <sup>49</sup> A/HRC/13/15, para. 89. 60. *Pursue its efforts to ensure the right to an adequate standard of living for vulnerable groups (Algeria).*
- <sup>50</sup> A/HRC/13/15, para. 89. 63. *Continue its efforts to further improve access to education, housing, social security, health and employment, especially for people living in poverty or extreme poverty, and to increase even more the resources and social benefits aimed at reducing poverty and extreme poverty in the country (Bulgaria).*
- <sup>51</sup> Defensoría de los Habitantes, para 24.
- <sup>52</sup> Defensoría de los Habitantes, para 25.
- <sup>53</sup> A/HRC/13/15, para. 89. 66. *Continue advancing in its efforts to achieve universal coverage of its Maternity, Disease and Health Care Programme (Colombia).*
- <sup>54</sup> Defensoría de los Habitantes, para 26.
- <sup>55</sup> A/HRC/13/15, para. 89. 67. *Take further measures to address the disparity in wages between men and women and continue to allocate sufficient funds to increase the availability of social housing for indigenous people, those of African descent and migrants, in line with the concerns raised by the Committee on Economic, Social and Cultural Rights and the United Nations country team (Ghana).*
- <sup>56</sup> A/HRC/13/15, para.89.68. *Take measures to ensure equitable access of indigenous children, migrant children and those living in rural areas to education and health services and improve their standard of living (Ghana).\**
- <sup>57</sup> Defensoría de los Habitantes, para 27.
- <sup>58</sup> A/HRC/13/15, para. 91.12. *Enhance and enshrine in law services aimed at protecting women and provide women with adequate information on how to access such support and medical care, including permitted abortions (United Kingdom).*

- <sup>59</sup> Defensoría de los Habitantes, para 28. See also submission from the Inter-American Commission on Human Rights - I/A Court H.R., Caso Artavia Murillo y otros (Fertilización in vitro) v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 28, 2012. Series C No. 257 (Available at: [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_257\\_ing.doc](http://www.corteidh.or.cr/docs/casos/articulos/seriec_257_ing.doc)).
- <sup>60</sup> Defensoría de los Habitantes, para 29.
- <sup>61</sup> Defensoría de los Habitantes, para 30.
- <sup>62</sup> A/HRC/13/15, para. 89. 69. *Pursue its action to ensure the right to education for all towards the realization of the Millennium Development Goals and to extend this fundamental right to children of illegal migrants (Algeria).*\*
- <sup>63</sup> A/HRC/13/15, para. 89.70. *Increase efforts at providing free and affordable education, including secondary education, to all segments of the population (Austria).*\*
- <sup>64</sup> A/HRC/13/15, para. 89. 71. *Continue to take effective measures to increase enrolment in primary and secondary schools, to reduce the high dropout rate of students, particularly in rural areas, and to address the lack of school infrastructure in those areas (Turkey).*\*
- <sup>65</sup> A/HRC/13/15, para. 89. 72. *Continue to take effective measures to increase enrolment in primary and secondary schools, reduce the high rate of students dropping out or repeating years, in particular in rural areas, and find ways to address the lack of school infrastructure in those areas (Portugal).*\*
- <sup>66</sup> Defensoría de los Habitantes, para 29.
- <sup>67</sup> A/HRC/13/15, para. 89. 78. *Identify the Government department that will be responsible for implementing the new migration and aliens act (Law 8764) and determining rules for its implementation (Netherlands).*\*
- <sup>68</sup> A/HRC/13/15, para. 89. 79. *Strengthen policies to guarantee the rights of migrants and refugees, under the principle of non-discrimination and non-refoulement (Brazil).*
- <sup>69</sup> Defensoría de los Habitantes, para 30.
- <sup>70</sup> A/HRC/13/15, para. 89. 86. *Establish an effective and inclusive process to follow-up to the recommendations emerging from the universal periodic review (Norway).*
- <sup>71</sup> Defensoría de los Habitantes, para 31.
- <sup>72</sup> The following abbreviations have been used for this document/en este documento se han usado las siglas inglesas siguientes:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination/ Convención Internacional sobre la Eliminación de todas las Formas de Discriminación Racial;
ICESCR	International Covenant on Economic, Social and Cultural Rights/ Pacto Internacional de Derechos Económicos, Sociales y Culturales;
OP-ICESCR	Optional Protocol to ICESCR/ Protocolo Facultativo del Pacto Internacional de Derechos Económicos Sociales y Culturales;
ICCPR	International Covenant on Civil and Political Rights/ Pacto Internacional de Derechos Civiles y Políticos;
ICCPR-OP 1	Optional Protocol to ICCPR/ Protocolo Facultativo del ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty/ Segundo Protocolo Facultativo del ICCPR, destinado a abolir la pena de muerte;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women/ Convención sobre la eliminación de todas las formas de discriminación contra la mujer;
OP-CEDAW	Optional Protocol to CEDAW/ Protocolo Facultativo de la CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment/ Convención contra la Tortura y Otros Tratos o Penas Crueles, Inhumanos o Degradantes;
OP-CAT	Optional Protocol to CAT/ Protocolo Facultativo de la CAT;
CRC	Convention on the Rights of the Child/ Convención sobre los Derechos del Niño;

- OP-CRC-AC Optional Protocol to CRC on the involvement of children in armed conflict/ Protocolo facultativo de la CRC relativo a la participación de niños en los conflictos armados;
- OP-CRC-SC Optional Protocol to CRC on the sale of children, child prostitution and child pornography/Protocolo facultativo de la CRC relativo a la venta de niños, la prostitución infantil y la utilización de niños en la pornografía;
- OP-CRC-IC Optional Protocol to CRC on a communications procedure/Protocolo opcional de la CRC sobre un procedimiento de comunicaciones;
- ICRMW International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families/ Convención Internacional sobre la protección de los derechos de todos los trabajadores migratorios y de sus familiares;
- CRPD Convention on the Rights of Persons with Disabilities/ Convención sobre los derechos de las personas con discapacidad;
- OP-CRPD Optional Protocol to CRPD/Protocolo facultativo de la CRPD;
- CPED International Convention for the Protection of All Persons from Enforced Disappearance/Convención Internacional para la protección de todas las personas contra las desapariciones forzadas.
- <sup>73</sup> Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.3.
- <sup>74</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras. 48-49.
- <sup>75</sup> Mulabi-SRI (Joint Submission 1), para. 2.
- <sup>76</sup> Coalición de Organizaciones y Redes Juveniles (Joint Submission 6), para.43. See also recommendation from the Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para 26.
- <sup>77</sup> Human Rights Implementation Centre of the University of Bristol, pages 4-5.
- <sup>78</sup> Human Rights Implementation Centre of the University of Bristol, paras.14-17.
- <sup>79</sup> Executive Decree No. 33568-RE-MSP-G-J of 19 February 2007.
- <sup>80</sup> Human Rights Implementation Centre of the University of Bristol, para.3.
- <sup>81</sup> Human Rights Implementation Centre of the University of Bristol, paras.6-7.
- <sup>82</sup> A/HRC/13/15, para. 89. 20. *Ensure sufficient resources for effective functioning of its national preventive mechanism provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and further strengthen mechanisms for independent investigation of alleged cases of torture and for effective access of victims to remedies with special attention to protection of women, children and persons of minority sexual orientation or gender identity (Czech Republic).* \*
- <sup>83</sup> Human Rights Implementation Centre of the University of Bristol, paras.10-13.
- <sup>84</sup> Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.2.
- <sup>85</sup> Coalición de Organizaciones Afrodescendientes (Joint Submission 5), paras.24 and 25.
- <sup>86</sup> Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.32.
- <sup>87</sup> Coalición de Organizaciones y Redes Juveniles (Joint Submission 6), pages 1-5.
- <sup>88</sup> Coalición de Organizaciones y Redes Juveniles (Joint Submission 6), paras. 38-43.
- <sup>89</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd.
- <sup>90</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, para.7.
- <sup>91</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.41-45.



- <sup>92</sup> A/HRC/13/15, para. 89.5. Consider including in its criminal legislation the delinquent conducts provided for in relevant paragraphs of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, in line with the recommendations of the Committee on the Elimination of Racial Discrimination (Peru); A/HRC/13/15, para. 89.6. Amend its criminal legislation so as to bring it into line with ICERD in order to overcome the fact that racial discrimination is viewed as a minor infraction punishable by a fine, as stated by the Committee on the Elimination of Racial Discrimination and the Committee on Economic, Social and Cultural Rights (Portugal); A/HRC/13/15, para.89.17. Promote educative programmes to reduce discrimination and prejudices towards persons with disabilities, and ensure that all members of society, including those with disabilities, are able to enjoy equal participation in the presidential vote in 2010 (United Kingdom);\* A/HRC/13/15, para.91.1. 1. Design and implement its action plan for strengthening legal and institutional frameworks to combat racism and racial discrimination, ensuring that all legal provisions are fully applied, that racism and racial discrimination are actively monitored and that training is carried out for all relevant authorities to provide equal access to legal redress for all victims of crime (United Kingdom).
- <sup>93</sup> A/HRC/13/15, para.89.10. Follow through and expand on already established programmes to protect children (United States); A/HRC/13/15, para.89.60. Pursue its efforts to ensure the right to an adequate standard of living for vulnerable groups (Algeria); A/HRC/13/15, para.89.64. Place greater emphasis on providing services for vulnerable, poor and homeless children and strengthen legislation against child pornography (United Kingdom); A/HRC/13/15, para.89. 83. Consider implementing, as appropriate, the recommendations of UNHCR, human rights treaty bodies and special procedures with respect to asylum-seekers, immigrants and irregular immigrants, especially children (Jordan).
- <sup>94</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, para. 11.
- <sup>95</sup> Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.29.
- <sup>96</sup> Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.28.
- <sup>97</sup> Mulabi-SRI (Joint Submission 1), para. 4.
- <sup>98</sup> Mulabi-SRI (Joint Submission 1), paras. 7-9.
- <sup>99</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.1-7.
- <sup>100</sup> Mulabi-SRI (Joint Submission 1), paras. 21-31.
- <sup>101</sup> Mulabi-SRI (Joint Submission 1), paras. 32-38. See also submission from Coalición de ONGs (CR-NGOs – Joint Submission 2), para.7.
- <sup>102</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.8-13.
- <sup>103</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), para. 1.
- <sup>104</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.14-17. See also IACHR Report on Justice for Women Victims of Sexual Violence: Education and Health (2011), OEA/Ser.L/V/II. Doc. 65, 28 December 2011 (available at <http://www.oas.org/en/iachr/women/docs/pdf/WOMEN%20MESOAMERICA%20eng.pdf>).
- <sup>105</sup> A/HRC/13/15, para.89. 19. Ensure effective implementation of the provisions punishing acts of torture (France); A/HRC/13/15, para.89.20. Ensure sufficient resources for effective functioning of its national preventive mechanism provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and further strengthen mechanisms for independent investigation of alleged cases of torture and for effective access of victims to remedies with special attention to protection of women, children and persons of minority sexual orientation or gender identity (Czech Republic);\* A/HRC/13/15, para.89.21. Enhance the policy to prevent, combat and eradicate torture, improve the situation in the prison system and establish alternative sanctions (Brazil); A/HRC/13/15, para.89.22. Step up implementation of legal and institutional measures aimed at addressing the reported increase of domestic violence against women and children (Malaysia);\*A/HRC/13/15, para.89. 24. Continue its efforts to eliminate violence against women and children (Jordan); A/HRC/13/15, para.89. 27. Take further measures to ensure the full protection of children from all forms of violence (Sweden);\* A/HRC/13/15, para.89. 28. Increase efforts to provide effective assistance to women and girls who are victims of violence, in particular through the provision of safe places and psychological support (Austria).

- <sup>106</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.32-34.
- <sup>107</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.23-36.
- <sup>108</sup> A/HRC/13/15, para.89.32. *Strengthen its efforts to train law enforcement officials to effectively work against trafficking of persons (Sweden)*; A/HRC/13/15, para.89.33. *Continue implementing as effectively as possible measures aimed at combating trafficking and smuggling of migrants, including children, with a view to sexual exploitation, particularly concerning assistance to the victims (Argentina)*; A/HRC/13/15, para.89.34. *Continue efforts to provide improved assistance to victims of trafficking (Sweden)*; A/HRC/13/15, para.89.35. *Implement and enforce the changes to the Criminal Code which criminalize all forms of trafficking and raise prison sentences for anyone committing the offense of trafficking in persons (United States)*; \* A/HRC/13/15, para.89.36. *Reinforce measures to combat trafficking of women and children and ensure that the penalties foreseen for these crimes are commensurate with the gravity of the crime (Italy)*; \* A/HRC/13/15, para.89.37. *Reinforce concrete measures aimed at combating trafficking in women and young girls, and assistance to victims (Belgium)*; \* A/HRC/13/15, para.89.38. *Ensure that persons suspected of trafficking in human beings are duly prosecuted and judged, and facilitate access to justice and compensation for victims (Belgium)*; \* A/HRC/13/15, para.89.39. *Step up efforts to combat trafficking in persons (Belarus)*; A/HRC/13/15, para.89.40. *Strengthen criminal legislation with regard to trafficking of children and women (Germany)*; \* A/HRC/13/15, para.89.41. *Further reinforce measures to combat trafficking of women and children, as well as penalties commensurate with the seriousness of such acts (Egypt)*; \* A/HRC/13/15, para.89.42. *Continue taking efficient measures to eliminate prohibited child labour and prostitution, and to combat the phenomenon of children living in the street, and monitor appropriately the efficiency of measures taken (Slovenia)*; A/HRC/13/15, para.89.43. *Undertake further efforts to eliminate child labour and to protect juvenile workers (Belarus)*; A/HRC/13/15, para.89.44. *Strengthen efforts to eliminate child labour (Chile)*; A/HRC/13/15, para.89.45. *Adopt and implement appropriate efficient policies and programmes and strengthen its efforts in raising public awareness to eliminate child labour (Slovakia)*; \* A/HRC/13/15, para.89.47. *Reinforce the fight against exploitation of minors, particularly sexual exploitation, through the effective implementation of national and international legal provisions and through maximal use of the National Plan to Combat Commercial Sexual Exploitation (Switzerland)*; A/HRC/13/15, para.89.49. *Take practical steps to address the problems of street children and take effective measures to eliminate prohibited child labour (Azerbaijan)*. \*
- <sup>109</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.27-31.
- <sup>110</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.37-40.
- <sup>111</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.36-37.
- <sup>112</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), para.50.
- <sup>113</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.50-53.
- <sup>114</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.50-53.
- <sup>115</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras. 35-40.
- <sup>116</sup> A/HRC/13/15, para.89.65. *Further focus its national spending on improving health and education services and increasing the availability of social housing (Azerbaijan)*.
- <sup>117</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.20-26.
- <sup>118</sup> A/HRC/13/15, para.89.63. *Continue its efforts to further improve access to education, housing, social security, health and employment, especially for people living in poverty or extreme poverty, and to increase even more the resources and social benefits aimed at reducing poverty and extreme poverty in the country (Bulgaria)*.
- <sup>119</sup> A/HRC/13/15, para.89.65. *Further focus its national spending on improving health and education services and increasing the availability of social housing (Azerbaijan)*.
- <sup>120</sup> A/HRC/13/15, para.89.66. *Continue advancing in its efforts to achieve universal coverage of its Maternity, Disease and Health Care Programme (Colombia)*.

- 121 A/HRC/13/15, para.91.12. *Enhance and enshrine in law services aimed at protecting women and provide women with adequate information on how to access such support and medical care, including permitted abortions (United Kingdom).*
- 122 Centro de Derechos Reproductivos, paras. 15-25.
- 123 Centro de Derechos Reproductivos, paras. 26-34.
- 124 Centro de Derechos Reproductivos, para.13. See also submission from the Coalición de ONGs (CR-NGOs – Joint Submission 2), para.18 and the Inter-American Commission on Human Rights - I/A Court H.R., Caso Artavia Murillo y otros (Fertilización in vitro) v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 28, 2012. Series C No. 257 (available at: [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_257\\_ing.doc](http://www.corteidh.or.cr/docs/casos/articulos/seriec_257_ing.doc)).
- 125 Centro de Derechos Reproductivos, para.14. See also submission from the Coalición de ONGs (CR-NGOs – Joint Submission 2), para.20.
- 126 Centro de Derechos Reproductivos, para. 25
- 127 Centro de Derechos Reproductivos, para. 35.
- 128 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras.18-22.
- 129 Coalición de ONGs (CR-NGOs – Joint Submission 2), para.19. See also submission from the Inter-American Commissioner on Human Rights - IACHR Report on Justice for Women Victims of Sexual Violence: Education and Health (2011), OEA/Ser.L/V/II. Doc. 65, 28 December 2011, para.242. (available at <http://www.oas.org/en/iachr/women/docs/pdf/WOMEN%20MESOAMERICA%20eng.pdf>).
- 130 Mulabi-SRI (Joint Submission 1), para.11.
- 131 Mulabi-SRI (Joint Submission 1), para.12.
- 132 Coalición de ONGs (CR-NGOs – Joint Submission 2), paras. 8-13.
- 133 Mulabi-SRI (Joint Submission 1), para.14.
- 134 Mulabi-SRI (Joint Submission 1), paras. 32-38. See also submission from Coalición de ONGs (CR-NGOs – Joint Submission 2), para.7.
- 135 A/HRC/13/15, para.89.69. *Pursue its action to ensure the right to education for all towards the realization of the Millennium Development Goals and to extend this fundamental right to children of illegal migrants (Algeria);\* A/HRC/13/15, para.89.70. Increase efforts at providing free and affordable education, including secondary education, to all segments of the population (Austria);\* A/HRC/13/15, para.89. 71. Continue to take effective measures to increase enrolment in primary and secondary schools, to reduce the high dropout rate of students, particularly in rural areas, and to address the lack of school infrastructure in those areas (Turkey);\* A/HRC/13/15, para.89.72. Continue to take effective measures to increase enrolment in primary and secondary schools, reduce the high rate of students dropping out or repeating years, in particular in rural areas, and find ways to address the lack of school infrastructure in those areas (Portugal);\* A/HRC/13/15, para.89. 73. Continue to work at the international level in favour of human rights education (Morocco).*
- 136 Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras. 12-19.
- 137 Mulabi-SRI (Joint Submission 1), paras. 19-20.
- 138 Coalición de ONGs (CR-NGOs – Joint Submission 2), para.36.
- 139 Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, page 3.
- 140 Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, pages 2 and 6.
- 141 Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, page 6.
- 142 Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, page 7.
- 143 Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, pages 1-2.
- 144 Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, pages 3-4.
- 145 Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, page 5.
- 146 Joint submission 3 by la Coalición de Organizaciones de Personas con Discapacidad, pages 5-6.

- <sup>147</sup> A/HRC/13/15, para.89.11. *Finalize the fifth and sixth due reports to the Committee on the Elimination of Discrimination against Women, without further delay (Norway)*; A/HRC/13/15, para.89.68. *Take measures to ensure equitable access of indigenous children, migrant children and those living in rural areas to education and health services and improve their standard of living (Ghana);\** A/HRC/13/15, para.89.74. *Increase its efforts in favour of indigenous populations to ensure the satisfaction of their basic needs (water, health, education) and to combat social exclusion affecting them (France).*
- <sup>148</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.46-48.
- <sup>149</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, para.11.
- <sup>150</sup> Coalición de Organizaciones Afrodescendientes (Joint Submission 5), paras.13-14.
- <sup>151</sup> Coalición de Organizaciones Afrodescendientes (Joint Submission 5), para.15.
- <sup>152</sup> Coalición de Organizaciones Afrodescendientes (Joint Submission 5), paras. 15-17.
- <sup>153</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras. 54-66.
- <sup>154</sup> Coalición de ONGs (CR-NGOs – Joint Submission 2), paras. 41-48
- <sup>155</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, para.11.
- <sup>156</sup> Joint submission 4 by IMMA-VIDES International-Congregation of Our Lady of Charity of the Good Shepherd, paras.49-52.
-