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**Human Rights Committee****Concluding observations on the seventh periodic report of Mongolia\***

1. The Committee considered the 7<sup>th</sup> periodic report of Mongolia <sup>1</sup> at its 4195<sup>th</sup> and 4196<sup>th</sup> meetings,<sup>2</sup> held on 10 and 11 March 2025. At its 4212<sup>nd</sup> meeting, held on 21 March 2025, it adopted the present concluding observations.

**A. Introduction**

2. The Committee welcomes the submission of the seventh report of Mongolia and the information presented therein. It expresses appreciation for the opportunity to renew its constructive dialogue with the State party's high-level delegation on the measures taken during the reporting period to implement the provisions of the Covenant. The Committee also expresses its appreciation to the State party for its written replies<sup>3</sup> to the list of issues,<sup>4</sup> which were supplemented by the oral responses provided by the delegation.

**B. Positive aspects**

3. The Committee welcomes the adoption of the following legislative, policy and institutional measures:

(a) Law on the Establishment of Courts, which provides for the establishment of the court of first instance for family and children's affairs in the area of the capital, Ulaanbaatar, in 2024;

(b) Law on Child Protection, which inter alia prohibits corporal punishment and other degrading treatment of children by parents, custodians and other persons in family and social environments, in 2024;

(c) Law on Labor, which regulates non-discrimination, including prohibiting discrimination by employers on the basis of sexual orientation and gender identity, and introduces a clause on harassment and violence in the workplace, in 2021;

(d) Law on the Judiciary, in 2021, governing the organisation and functions of the judicial system and strengthening its independence;

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\* Adopted by the Committee at its 143rd session (3 – 28 March 2025).

<sup>1</sup> [CCPR/C/MNG/7](#).

<sup>2</sup> See [CCPR/C/SR.4195](#) and [CCPR/C/SR.4196](#).

<sup>3</sup> [CCPR/C/MNG/RQ/7](#)

<sup>4</sup> [CCPR/C/MNG/Q/7](#)

(e) Law on the Protection of Personal Information, in 2021, which regulates the collection, processing, and use of personally identifiable information, specifying its categories and the rights and responsibilities of the data owner;

(f) The revision of the law on Political Parties, in 2024, which introduced financial incentives to encourage political parties to support more women candidates;

(g) Amendments to the Law on Parliamentary elections, in 2023, which raised the candidate quota for women to 30% and required party lists to follow a gender-parity ordering system;

(h) The revision of the Law on the National Human Rights Commission of Mongolia, in 2020, which provides inter alia for the establishment of the national preventive mechanism relating to torture and ill-treatment;

(i) National Anti-Corruption Programme (NACP) 2023-2030, in 2023;

(j) National Program on Combating Human Trafficking, in 2017;

(k) National Program on Gender Equality for 2017–2021, in 2017.

## C. Principal matters of concern and recommendations

### Implementation of the Covenant

4. The Committee notes the information provided by the State party on domestic application of the Covenant, including four cases decided by the Supreme Court in 2023. It regrets, however, the State party's acknowledgement that the application of the Covenant in national courts remains limited. The Committee also notes that only one communication under the First Optional Protocol has been submitted to the Committee and regrets the lack of information provided on measures taken to raise awareness of the Covenant and its First Optional Protocol among the public at large (art. 2).

**5. The State party should strengthen its efforts to promote the effective application of the provisions of the Covenant before domestic courts, including through institutionalized training of lawyers, prosecutors and judges on international human rights treaties. The State party should take appropriate measures to raise awareness of the Covenant among the public at large, including of the possibility to submit individual complaints to the Committee under the First Optional Protocol.**

### National human rights institution

6. The Committee welcomes the adoption of the revised Law on the National Human Rights Commission of Mongolia (2020), as well as the increase in resources and the expanded mandate provided to the Commission under the Law on Legal Status of Human Rights Defenders (2021), the Law on Personal Data Protection (2021), and the National Preventive Mechanism Against Torture (2022). The Committee is nevertheless concerned that Article 22.2 of the above-mentioned law appears to unduly restrict the authority of the Commission to investigate individual complaints relating to active or concluded criminal or civil cases. The Committee regrets the lack of information provided by the State party on measures taken to enhance diversity and pluralism in the composition of the Commission and its Civil Society Council (art. 2).

**7. The State party should consider revising the Law on the National Human Rights Commission of Mongolia to clarify the Commission's jurisdiction over complaints relating to alleged procedural rights violations in active or concluded criminal or civil cases. The State party should also take appropriate measures to enhance diversity and pluralism in the composition of the Commission and its Civil Society Council, for instance by ensuring broad public awareness of vacancies including among ethnic and minority groups.**

### **Anti-corruption measures**

8. While noting the measures taken by the State party to combat corruption, including stricter penalties for corruption-related offenses in the Criminal Code and reforms to the application of the statute of limitations, the Committee is concerned by reports that corruption is pervasive in the State party, including high-level corruption involving public officials and politicians. The Committee notes the statistical information provided that indicates a rise in the number of cases transferred to courts but regrets the lack of information on convictions and sanctions handed down. While acknowledging measures taken or planned with a view to strengthening the Independent Authority Against Corruption (IAAC) the Committee is concerned by reports that its independence and effectiveness is hampered by insufficient resourcing and political pressure from the executive branch of government (arts. 2 and 25).

**9. The State party should increase its efforts to prevent and eradicate corruption at all levels and, in particular:**

**(a) Effectively enforce anti-corruption legislation, including by taking appropriate measures to strengthen the independence and effectiveness of the Independent Authority Against Corruption (IAAC);**

**(b) Ensure that all allegations of corruption are promptly, thoroughly and impartially investigated and that perpetrators are prosecuted and, if convicted, sanctioned with penalties commensurate with the gravity of the crime; and prioritise the investigation and prosecution of high-level corruption by politicians and public officials;**

**(c) Provide effective training to law enforcement officials, prosecutors and judges on detecting, investigating and prosecuting corruption and related offences;**

**(d) Ensure the effective protection of whistle-blowers and witnesses, including through the adoption of legislation and the establishment of protection mechanisms,**

**(e) Ensure that procedural decisions and the main outcomes of high-level or high-profile corruption cases are explained to the public through appropriate public information measures.**

### **States of emergency**

10. While welcoming amendments to the Law on the State of Emergency in 2020 law to include protections for human rights, and which recognised certain non-derogable rights, the Committee regrets the lack of information received from the State party on how its legal framework governing states of emergency prohibits the suspension of all non-derogable rights listed in article 4 (2) of the Covenant. While acknowledging the measures taken by the State party to protect persons during the COVID-19 pandemic, including the Law to Prevent, Control, and Reduce Impact of the COVID-19 Pandemic adopted on 29 April 2020, the Committee regrets the lack of information provided on the restrictions on rights imposed in this context as well as reports that procedures were in many cases not followed and that some restrictions were applied selectively (art. 4).

**11. The State party should consider amending Article 19 (2) of the Constitution and the Law on the State of Emergency (1995) in order to ensure their full compliance with the requirements of article 4 of the Covenant, as interpreted in the Committee's general comment No. 29 (2001) on derogations from provisions of the Covenant during a state of emergency. In particular, the State party should guarantee that any measures introduced during a declared or de facto state of emergency are temporary, proportionate, strictly necessary and subject to judicial review. In this regard, the State party should assess the restrictions on civil and political rights adopted in response to the COVID-19 pandemic and implement the recommendations of the National Human Rights Commission of Mongolia to limit rights restrictions during future public emergencies.**

### **Anti-discrimination framework**

12. While noting that discrimination is prohibited in the Criminal Code and numerous sectoral laws, and that training on discrimination for public officials has been developed and provided, the Committee is concerned about the low number of reported cases of discrimination and related criminal prosecutions, which may indicate too narrow a definition of discrimination and an excessive burden of proof. With reference to its previous Concluding observations,<sup>5</sup> the Committee remains concerned by the lack of comprehensive anti-discrimination legislation (arts. 2 and 26).

**13. The State party should adopt, without delay, comprehensive anti-discrimination legislation that prohibits direct and indirect discrimination in the public and private spheres, including on the grounds of sexual orientation and gender identity, and that provides effective remedies in judicial and administrative proceedings. The State party should institutionalise and adequately fund training for public officials, including prosecutors, judges and law enforcement personnel, on discrimination and enhance measures to raise awareness among the general public of discrimination law and remedies available to victims.**

### **Discrimination on the grounds of sexual orientation and gender identity**

14. Recalling its previous Concluding observations<sup>6</sup> and information provided under the follow-up procedure, the Committee remains concerned about continued reports of prejudice, discrimination, harassment and attacks against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons and the lack of accountability for such acts. The Committee is concerned by reports that the majority of hate crimes targeting LGBTI individuals go unreported due to fears of discrimination and abuse by law enforcement officials and a lack of trust in the justice system. The Committee remains concerned about obstacles to the exercise of freedom of assembly by LGBTI persons and the continued absence of legal recognition and protection of same-sex couples (arts. 2, 6, 7, 21 and 26).

**15. The State party should:**

**(a) Intensify its efforts to combat stereotypes and prejudice against LGBTI persons;**

**(b) Ensure that acts of discrimination and violence directed against LGBTI persons are investigated, that perpetrators are prosecuted, and if convicted, punished with appropriate penalties, and that victims are provided with full reparation;**

**(c) Guarantee freedom of peaceful assembly for LGBTI persons, including for the annual Equality Walk at Chinggis Square, ensuring that any restrictions imposed comply with the strict requirements of article 21 of the Covenant and are not applied in a discriminatory manner;**

**(d) Consider adopting legislation for the legal recognition and protection of same-sex couples;**

**(e) Ensure effective consultation with civil society organizations that work on LGBTI issues in the development of anti-discrimination legislation and policies.**

### **Gender equality**

16. The Committee welcomes amendments to the State party's legislation which aim to increase the representation of women in the parliament and their participation in political party decision-making structures, including amendments to the Law on Parliamentary elections which raised the quota for women in political party candidate lists from 20% to 30%, and which envisage a further increase to 40% by 2028. The Committee is nonetheless concerned that women are reportedly discouraged from entering politics due to negative

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<sup>5</sup> CCPR/C/MNG/CO/6, paras 9-10.

<sup>6</sup> Ibid, paras. 11-12.

gender stereotypes and the harassment of women politicians and that women remain under-represented in political and public life, including at local levels (arts. 2, 3, 25 and 26).

**17. The State party should ensure effective implementation and enforcement of gender quotas and related measures to increase the participation and representation of women in political life at national and local levels. The State party should also implement appropriate measures to combat harassment of women politicians and address negative gender stereotypes, including through public information campaigns to promote gender equality.**

#### **Climate change and environmental degradation**

18. The Committee acknowledges the steps taken by the State party to prevent and mitigate the impacts of climate change and environmental degradation. It is nonetheless concerned by the gravity of associated threats to lives, health and livelihoods. While noting the State party's efforts to promote cleaner and more efficient heating systems, including through price subsidies for non-coal heating energy sources and tax incentives for business enterprises, the Committee is concerned, in particular, by the high number of deaths attributed to both outdoor and indoor air pollution, especially in urban areas such as Ulaanbaatar, with children, women and the elderly disproportionately represented among the victims (art. 6).

**19. The State party should take adequate steps to ensure the sustainable use of natural resources and to adopt a precautionary approach to protecting persons, including the most vulnerable, from the negative impacts of climate change, environmental degradation and natural disasters. In the light of paragraph 62 of its general comment No. 36 (2018) on the right to life, the State party should, in particular, take effective measures to reduce the number of deaths attributed to indoor and outdoor air pollution, including through effective implementation of regulations on the burning of fossil fuels and measures to reduce the reliance on burning solid fossil fuels for heating residential dwellings.**

#### **Prohibition of torture and other cruel, inhuman or degrading treatment or punishment**

20. The Committee welcomes the establishment of a national torture prevention mechanism in 2022 but is concerned by the reported persistence of acts of torture and ill-treatment by State agents, notably during police interrogations, the low rate of prosecutions and the leniency of sanctions imposed in some cases. While noting the State party's plans to amend its legislation on torture and ill-treatment, the Committee is concerned that until then the definition of torture in the Criminal Code is not in full conformity with the Covenant and other international standards and that many cases are dismissed as a result of the application of the statute of limitations. The Committee notes plans to establish a special investigation unit within the state prosecution service but regrets the lack of information on safeguards in place to ensure its independence and effectiveness (arts. 2 and 7).

**21. The State party should take robust measures to eradicate torture and ill-treatment, including by:**

**(a) Revising its legislation with a view to ensuring that it contains a definition of torture that is fully compliant with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and with article 7 of the Covenant;**

**(b) Adopting the law establishing an independent mechanism to investigate acts of torture and ill-treatment committed by public officials, ensuring that there is no institutional or hierarchical relationship between the body's investigators and the alleged perpetrators of such acts;**

**(c) Conducting prompt, thorough, effective, transparent and impartial investigations into all allegations of torture and ill-treatment, in line with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), ensuring that**

**perpetrators are prosecuted and, if convicted, punished appropriately and that victims receive full reparation;**

**(d) Taking all measures necessary to prevent torture and other cruel, inhuman or degrading treatment or punishment, including by strengthening the human rights training provided to judges, prosecutors, law enforcement officials and health and forensic personnel, including training on international human rights standards, such as the Principles on Effective Interviewing for Investigations and Information-Gathering (the Méndez Principles).**

22. Recalling its previous Concluding observations<sup>7</sup>, the Committee remains concerned by the State party's recourse to solitary confinement. In the case of prisoners sentenced to life imprisonment, and while noting that the head of the penitentiary facility may, in consultation with the prosecutor, confine such prisoners in pairs, the Committee remains concerned that the law provides for such prisoners to be subjected to at least ten years of solitary confinement. The Committee is also concerned that other categories of prisoner can be subjected to periods of up to 30 days, and in exceptional cases for up to 60 days for male prisoners, of solitary confinement as a disciplinary measure, during which they are held with those serving life sentences.

**23. The State party should bring all legislation and practice on solitary confinement in line with the Covenant and the international standards as reflected in the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). This should include inter alia ensuring that solitary confinement is imposed only in exceptional cases as a last resort, for the shortest possible period of time (not exceeding 15 days) and subject to independent review.**

#### **Liberty and security of person**

24. The Committee acknowledges amendments adopted by the State party to improve the legal framework governing arrest and pretrial detention and the introduction of alternatives to detention such as travel restrictions. The Committee is nonetheless concerned by reports indicating that a high number of arrests are carried out without a court order by the General Intelligence Agency and the Independent Authority Against Corruption and that a lack of clear procedures relating to the use of alternatives to pretrial detention results in limited application of such measures, even for those accused of crimes that do not carry imprisonment. The Committee is also concerned by reports that defence lawyers do not, in practice, have full access to their clients' case files to contest pretrial detention due to the stipulation in the Law on Criminal Procedure (2017) that full access to case files must be provided upon the completion of an investigation, while the imposition of pretrial detention is usually decided while investigations are ongoing (art. 9).

**25. The State party should:**

**(a) Take all necessary measures to require law enforcement officials to obtain an arrest warrant issued by a judicial authority in order to conduct an arrest, except in cases involving individuals apprehended in the act of committing a crime;**

**(b) Increase its efforts to promote and implement alternatives to detention, including by developing clear rules and procedures for the application of alternatives to pretrial detention such as community supervision;**

**(c) Periodically review the length of pretrial detention with a view to determining whether it remains necessary and whether it guarantees the right to a trial within a reasonable time;**

**(d) Amend the Law on Criminal Procedure (2017) to ensure defence lawyers are able to access their clients' case files from the beginning of the investigation phase and, where relevant, challenge the legality of pretrial detention.**

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<sup>7</sup> Ibid, paras. 19-20.

### Conditions in places of deprivation of liberty

26. While welcoming measures taken or underway to improve material conditions in places of deprivation of liberty, including through the construction of pretrial detention facilities, the Committee remains concerned by reports that poor material conditions persist in pre-trial detention centres and prisons and access to adequate health care is not systematically ensured, notably at the women's prison in Ulaanbaatar. While noting that a new building is being constructed at the Special Education and Rehabilitation Center for juvenile offenders, the Committee is concerned by reports indicating poor material conditions in the currently available facilities and a reported lack of separate pretrial detention facilities for juveniles with adequate access to educational and recreational activities (art. 10).

**27. The State party should continue its efforts to ensure that conditions in places of deprivation of liberty are in line with international human rights standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules).**

### Trafficking in persons and forced labour

28. The Committee notes steps taken by the State party to prevent and combat trafficking in persons, including the development of a training curriculum on the "Victim-centered investigation of the crime of human trafficking" and related training for judges, prosecutors and police officers. The Committee nonetheless remains concerned about the continued prevalence of trafficking in persons for the purposes of labor exploitation and sexual exploitation, noting continued shortcomings in the identification of victims and reports of arrest and detention of victims for acts committed as a direct result of being trafficked, notably women and girl victims of sex trafficking. The Committee regrets the lack of information provided on measures to prevent and address trafficking involving forced marriage (arts. 3, 7, 8 and 24).

**29. The State party should further strengthen its efforts to effectively prevent and combat trafficking in persons, including trafficking for the purposes of labor exploitation and sexual exploitation, by, inter alia:**

- (a) Ensuring effective identification of victims of trafficking in persons;**
- (b) Ensuring that trafficking victims are not criminalized for unlawful acts resulting from their exploitation;**
- (c) Investigating all cases of trafficking promptly and thoroughly, prosecuting suspected perpetrators and, if convicted, imposing adequate and deterrent sanctions;**
- (d) Ensuring that victims have access to effective means of protection and assistance services and to full reparation, including rehabilitation and adequate compensation;**
- (e) Institutionalising and expanding the roll-out of specialised training for all relevant stakeholders, especially in rural areas.**

30. The Committee notes the statistical information on labor law violations detected by inspectors and the related fines imposed, as well as training of labour inspectors and relevant stakeholders in extractive industry locations with a view to improving identification and reporting of forced labor. With reference to its previous Concluding observations<sup>8</sup>, the Committee remains concerned about allegations of migrants working in conditions tantamount to forced labour in mining, construction and other sectors, and reported shortcomings in the identification of male victims of trafficking for the purposes of labour exploitation (art. 8).

<sup>8</sup> Ibid, paras. 29-30.

**31. Recalling its previous recommendation,<sup>9</sup> the State party should increase its efforts to enforce prohibition of forced labour and provide protection for migrant workers, including through strengthening the capacity of labor inspectors to identify and respond to forced labor. The State party should strengthen the identification of male victims of trafficking for the purposes of labour exploitation, including through enhancing training and increasing the number of unannounced inspections particularly in the mining and construction sectors.**

#### **Treatment of refugees and asylum-seekers**

32. The Committee is concerned by the absence of legislation and procedures to protect the rights of asylum seekers and refugees and by reported cases of asylum seekers being deported in violation of the principle of non-refoulement. The Committee is concerned that the State party's legislation does not afford residence permits or other specific legal status to asylum seekers or UNHCR-recognized refugees and that as a result they generally do not have access to government-provided basic services such as healthcare and education, nor are provided with work permits (arts. 6, 7, 9 and 13).

**33. The State party should enhance the protection of refugees and asylum-seekers, without discrimination. In particular, it should consider adopting a general law on asylum and refugee status, in accordance with relevant international standards, clarifying the procedural guarantees available to all asylum-seekers and ensuring that refugees and asylum-seekers have non-discriminatory and equal access to basic services. The State party should also consider acceding to the Convention relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967.**

#### **Statelessness**

34. While noting that stateless children born on the territory of the State party to stateless parents may become citizens of Mongolia upon reaching the age of 16, the Committee is concerned that this is not an automatic procedure, that acquisition of citizenship is not guaranteed, and that it leaves such children stateless until they reach the age of 16. The Committee is also concerned that legal obligations for individuals to renounce their nationality upon application of Mongolian nationality can lead to statelessness as there is no guarantee that Mongolian citizenship will be granted despite the individual having renounced their previous nationality (arts. 2, 16, 24 and 26).

**35. The State party should take the necessary legislative measures to ensure that legislation on citizenship provides adequate safeguards for the prevention of statelessness, in compliance with international standards. The State party should also consider acceding to the Convention relating to the Status of Stateless Persons of 1954 and the Convention on the Reduction of Statelessness of 1961.**

#### **Independence of the judiciary**

36. The Committee welcomes measures taken by the State party to strengthen the independence of judges and prosecutors during the reporting period, in particular the constitutional reform of 2019 as well as the adoption of a revised law on the judiciary, in January 2021. The Committee appreciates the measures introduced under the 2021 law to strengthen the independence of disciplinary mechanisms applicable to judges but regrets the lack of specific information provided by the State party on how this law guarantees judges' right to a defence and to effectively appeal decisions adopted by the disciplinary committee of the judiciary. The Committee also regrets the lack of information received on remedies provided to the judges that were suspended or removed from their posts in 2013 or 2019 reportedly without valid legal grounds, including whether these judges have been reinstated (art. 14).

**37. The State party should continue to strengthen the legal framework to guarantee the independence of the judiciary, including by ensuring that applicable disciplinary**

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<sup>9</sup> Ibid, para. 30.



**mechanisms guarantee judges' right to a defence and to effectively appeal decisions adopted by the disciplinary committee of the judiciary. The State party should also take immediate steps to resolve the cases of judges who were suspended or removed from their posts in 2013 or 2019 reportedly without valid legal grounds, ensuring they are provided with access to effective remedies.**

#### **Right to privacy**

38. While welcoming the adoption of the Law of Mongolia on the Protection of Personal Information in 2021, the Committee regrets the lack of information received from the State party on reports of unauthorized use of personal information during the reporting period and on the enforcement of the personal data protection law since its enactment in 2021, including remedies provided to those who have suffered data privacy violations. The Committee is also concerned by reports that awareness and understanding of the data privacy law remain low, both within the government and among the general population (art. 17).

**39. The State party should ensure effective implementation and enforcement of the Law of Mongolia on the Protection of Personal Information adopted in 2021 including ensuring access to effective remedies in cases where privacy rights have been violated. The State party should also take appropriate measures to improve awareness and understanding of data privacy laws, rights and available remedies for privacy violations among government agencies, the judiciary and law enforcement as well as among the general population.**

#### **Freedom of conscience and religious belief**

40. While commending the State party for enshrining freedom of religion and conscience in its constitution and its legislation, the Committee is concerned by reports that local authorities apply the procedures for registering religious groups inconsistently, noting for example the repeated denials and delays of applications by Jehovah's Witnesses groups in Ulaanbaatar. The Committee is also concerned that certain provisions of Mongolian law hinder the free exercise of religion for foreign nationals, such as the requirement that the head of a religious organization be a Mongolian national, or the prescribed percentage of employees of foreign religious groups who must be Mongolian nationals (art. 18).

**41. The State party should take appropriate measures to ensure laws and procedures governing the registration of religious groups are applied consistently, expeditiously and without discrimination, and do not involve burdensome administrative requirements. Noting that a revised draft of the Law on Relations between State and Religious Institutions is currently under development, the State party should consider including provisions that remove or amend requirements which hinder the free exercise of religion by foreign nationals.**

42. The Committee notes that the State party recognizes in principle the right to conscientious objection to military service but is concerned by reports that the duration of alternative service for conscientious objectors is double the length of military service, and that training provided as part of alternative service is conducted by armed forces personnel. Noting the availability under the Law on Military Service of an option to make a payment in order to fulfil the obligation of military service, the Committee is concerned that such an option is not consistent with the Covenant, both in requiring conscientious objectors to support the military and by adversely impacting individuals with limited ability to pay (art. 18).

**43. The State party should promptly take all necessary measures to ensure that the right to conscientious objection to military service is guaranteed in law and in practice; that alternative service is accessible to all conscientious objectors without discrimination and is not punitive or discriminatory in nature, cost and/or duration.**

### Freedom of expression

44. Recalling its previous Concluding observations,<sup>10</sup> the Committee is concerned by reports indicating a decline in freedom of expression in the State party, notably with regard to the operating environment for journalists and human rights defenders, some of whom have reportedly faced intimidation, unjustified defamation suits and criminal prosecution. The Committee notes with concern the overly broad criminal law provisions relating to dissemination of false information which have been used to prosecute journalists, in particular journalists who investigate corruption. The Committee remains concerned about limitations on the right to access information, noting reports that the Law on State and Official Secrets is regularly used to unduly deny access to information. The Committee is furthermore concerned that, despite diversity of the media landscape, most media outlets are reportedly affiliated to or influenced by political interests with a negative impact on editorial independence; that ownership of media companies remains opaque, and that many journalists self-censor to avoid offending political or business interests and facing costly defamation suits (art. 19).

**45. The Committee reiterates its previous recommendation on freedom of expression and urges the State party to take the necessary measures to ensure that everyone can freely exercise the right to freedom of expression, in accordance with article 19 of the Covenant and the Committee's general comment No. 34 (2011) on the freedoms of opinion and expression. In doing so, the State party should:**

**(a) Protect journalists, media workers and human rights defenders from harassment and intimidation, promptly investigate all such acts and bring those responsible to justice ensuring they receive adequate punishment;**

**(b) Review and revise its current and pending legislation, including the Criminal Code and the draft laws on media freedom and access to information, to avoid the use of vague terminology and overly broad restrictions that are incompatible with article 19(3), notably with regard to provisions on the dissemination of false information;**

**(c) Ensure that the right of access to information held by public bodies can be effectively exercised in practice and proactively put in the public domain government information of public interest;**

**(d) Take measures to protect the editorial independence of media outlets from political influence, including by ensuring the transparency of private media ownership.**

### Right of peaceful assembly

46. The Committee is concerned about reports indicating that authorities often restrict or indirectly suppress peaceful assemblies, particularly demonstrations expressing criticism of the Government or assemblies promoting the rights of LGBTI persons. While welcoming the Delegation's indication that a draft revision of the law on procedures for demonstrations and assembly (1994) recently introduced to parliament will institute a notification regime, the Committee is concerned by indications that it would require police authorisation for assemblies using main roads, thereby potentially undermining the notification regime. The Committee is also concerned about reports of the disproportionate use of force and arbitrary arrest and detention by law enforcement officials in order to disperse peaceful assemblies. The Committee regrets the absence of information provided regarding the bill to amend the Criminal Code to impose prison sentences for obstructing mining and other development projects and expresses concern about the implications of the bill for the effective exercise of the right of peaceful assembly (art. 21).

**47. In the light of article 21 of the Covenant and the Committee's general comment No. 37 (2020) on the right of peaceful assembly, the State party should take concrete steps to foster an enabling environment for the exercise of the right of peaceful assembly and ensure that limitations on that right are in strict compliance with article 21 of the**

<sup>10</sup> Ibid, paras. 37-38.

**Covenant and the principles of proportionality and necessity. In particular the State party should:**

**(a) Proceed with the planned revision of the law on procedures for demonstrations and assembly (1994) to eliminate the requirement for prior authorization for peaceful assemblies and allow for a prior notification procedure, ensuring that any exceptions requiring authorisation cannot be misused to stifle peaceful assemblies and that any decision regarding the prohibition of a peaceful assembly is subject to judicial control;**

**(b) Ensure that all allegations of the excessive use of force or arbitrary arrest or detention in the context of peaceful assemblies are investigated promptly, thoroughly and impartially, that those responsible are brought to justice and, if found guilty, punished with appropriate sanctions and that victims obtain full reparation;**

**(c) Provide effective training to judges, prosecutors and law enforcement officials on the right of peaceful assembly, including specific training for law enforcement officials on non-violent means of crowd control and international standards for the use of force, notably the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement.**

### **Rights of the child**

48. The Committee welcomes measures taken by the State party to strengthen the protection of children's rights, including increased penalties for violence against children, expanded access to legal aid for minor victims of sexual violence and human trafficking and training for law enforcement officers on child trafficking. The Committee nonetheless reiterates its concern regarding the employment of children as jockeys in horse racing, exposing them to risk of injury and even death. While welcoming plans to significantly increase the number of child labor inspectors, the Committee is also concerned that children continue to be engaged in hazardous work in mining and agriculture, and that the number of 'street children' reportedly continues to rise despite measures taken by the State party to reunite children with their families or to place them in care (arts. 6, 7, 8 and 24).

**49. The State party should ensure effective implementation of its legal framework for the protection of children, including by:**

**(a) raising awareness among families as regards the prohibition of child labor, the possible dangers in workplaces and the importance of school attendance;**

**(b) prohibiting the use of child jockeys in horse racing;**

**(c) proceeding with plans to increase the number of child labor inspectors and strengthen the inspection regime including by providing sufficient and sustainable funding;**

**(d) addressing the root causes of 'street children' such as abuse, poverty, parental neglect or social exclusion.**

### **Participation in public affairs**

50. The Committee appreciates the steps taken by the State party to strengthen its electoral framework and the holding of regular elections that are broadly in line with international standards. The Committee is nonetheless concerned that certain restrictions may not align with international standards, particularly the denial of voting rights based on intellectual disability and the blanket disenfranchisement of citizens serving prison sentences irrespective of the gravity of the crime. While noting that public officials are prohibited from participating in election campaigning the Committee is concerned by reports of misuse of public resources and pressure on public employees to engage in campaign activities to the benefit of incumbents (art. 25).

**51. The State party should:**

**(a) Remove voting restrictions based on intellectual disability and revise the blanket deprivation of voting rights for prisoners;**

**(b) Take appropriate measures to prevent the misuse of public resources and pressure on public employees to engage in campaign activities, ensuring a clear separation between official duties and campaigning;**

**(c) Strengthen the implementation of campaign finance regulations by ensuring effective monitoring and establishing a mechanism to address violations with appropriate sanctions.**

**D. Dissemination and follow-up**

**52. The State party should widely disseminate the Covenant, the two Optional Protocols thereto, its seventh periodic and the present concluding observations, with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, and the general public. The State party should ensure that the periodic report and the present concluding observations are translated into the official language of the State party.**

**53. In accordance with rule 75 (1) of the Committee's rules of procedure, the State party is requested to provide, by 28 March 2028, information on the implementation of the recommendations made by the Committee in paragraphs 7 (National human rights institution), 9 (Anti-corruption measures) and 45 (Freedom of expression) above.**

**54. In line with the Committee's predictable review cycle, the State party will receive in 2031, the Committee's list of issues prior to the submission of the report and will be expected to submit within one year its replies, which will constitute its eighth periodic report. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The next constructive dialogue with the State party will take place in Geneva in 2033.**

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