

Annexure:

Acceptance of UPR Recommendations – Australia’s Legal Obligations

Categories:

1. **Must Accept as a Matter of Law:** Recommendation must be accepted as a matter of international human rights law and by consequence of Australia’s legal obligations. This category is further divided into those recommendations which are the subject of obligations of immediate realisation and those which must be progressively realised
2. **Should Accept as a Matter of Law:** Recommendation should be accepted because it is consistent with the spirit and intent, and would give greater effect to, implementation of Australia’s international human rights obligations
3. **Desirable to Accept to Better Protect Human Rights:** Acceptance of the recommendation is not compelled by Australia’s international human rights obligations as such but it is desirable that it be accepted so as to better promote and protect human rights
4. **Should Reject as a Matter of Law:** Recommendation should not be accepted as it is incompatible with international human rights law

Key:

HRC Concluding Observations	<i>Concluding Observations of the Human Rights Committee, Australia, 95th session, 7 May 2009, UN Doc CCPR/C/AUS/CO/5</i>
CESCR Concluding Observations	<i>Concluding Observations of the Committee on Economic, Social and Cultural Rights, Australia, 42nd session, 22 May 2009, UN Doc E/C.12/AUS/CO/4</i>
CERD Concluding Observations	<i>Concluding Observations of the Committee on the Elimination of Racial Discrimination, Australia, 77th session, 27 August 2010, UN Doc CERD/C/AUS/CO/15-17</i>
CAT Concluding Observations	<i>Concluding Observations of the Committee Against Torture, Australia, 40th session, 15 May 2008, UN Doc CAT/C/AUS/CO/1</i>
CRC Concluding Observations	<i>Concluding Observations of the Committee on the Rights of the Child: Australia, 40th session, 20 October 2005, UN Doc CRC/C/15/Add.268</i>
CEDAW Concluding Observations	<i>Concluding Observations of the Committee on the Elimination of Discrimination Against Women, Australia, 46th session, 30 July 2010, UN Doc CEDAW/C/AUS/CO/7</i>
Report of SR Adequate Housing	Miloon Kothari, <i>Report of the Special Rapporteur on the Right to Adequate Housing on Mission to Australia, 11 May 2007, UN Doc A/HRC/4/18/Add.2</i>
Report of SR Health	Anand Grover, <i>Report of the Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health on Mission to Australia, 3 June 2010, UN Doc A/HRC/14/20/ADD.4</i>
Report of SR Indigenous Rights	James Anaya, <i>Report by the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People: Addendum – The Situation of Indigenous Peoples in Australia (Advanced unedited version), 4 March 2010, UN Doc A/HRC/15</i>

Recommendation	Category 1: Must Accept as a Matter of Law		Category 2: Should Accept as a Matter of Law	Category 3: Desirable to Accept to Better Protect Rights	Category 4: Should Reject	Relevant Recommendations made by International Human Rights Mechanisms
	Immediate	Progressive				
86.1. Ratify as soon as possible the Optional Protocol to the Convention against Torture or other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) (Republic of Moldova);			●			CAT Concluding Observations, [34]. CERD Concluding Observations, [28]. Report of SR Health, [100].
86.2. Speed up the process of the ratification of the OP-CAT (Azerbaijan);			●			As above.
86.3. Ratify the OP-CAT and designate a National Preventive Mechanism for places of detention (Maldives);			●			As above.
86.4. As a high priority, ratify the OP-CAT and establish a National Preventative Mechanism (New Zealand);			●			As above.
86.5. Ensure the establishment of an independent supervision mechanism which would have access to all detention centres with a view to facilitating the prompt ratification of OP-CAT (Mexico);			●			As above. CAT Concluding Observations, [26] and [28].
86.6. Ratify the OP-CAT without further delay (Denmark);			●			As above.
86.7. Encouraged to accede to the remaining core human rights instruments that it is yet to become a party, especially the Convention for the Protection of All Persons from Enforced Disappearance (CED) (Thailand);				●		CESCR Concluding Observations, [35]. CEDAW Concluding Observations, [49]. CRC Concluding Observations, [64]. CEDAW Concluding Observations, [49]. CERD Concluding Observations, [28].
86.8. Sign and ratify the CED (France);				●		CEDAW Concluding Observations, [49].

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86.9. Study the possibility of signing and ratifying the CED and the ICRMW (Argentina);				●		CESCR Concluding Observations, [35] regarding the ICRMW. CEDAW Concluding Observations, [49] and CRC Concluding Observations, [64] regarding the ICRMW.
86.10. Consider acceding to the ICRMW (Algeria); Ratify the ICRMW (Bolivia); Complete the ratification process of the ICRMW (Turkey); Engage in consultations with civil society with a view to possible accession to the ICRMW (Philippines); Ratify the ICRMW (Bosnia and Herzegovina);				●		CESCR Concluding Observations, [35]. CEDAW Concluding Observations, [49]. CERD Concluding Observations, [28]. CRC Concluding Observations, [64] re the ICRMW.
86.11. Ratify ILO Convention No. 169 and incorporate it into its national norms (Bolivia);				●		CESCR Concluding Observations, [15]. CERD Concluding Observations, [28]. Report of SR on Indigenous Rights, [76].
86.12. Consider ratifying ILO Convention No. 169 (Norway); ¹				●		As above.
86.13. Withdraw its reservations to the Convention on the Rights of the Child (CRC) (Hungary);			●			CRC Concluding Observations, [7] and [8].
86.14. Consider withdrawing its reservations to Article 4 (a) of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (Republic of Korea);			●			CERD Concluding Observations, [17].
86.15. Withdraw its reservation on Article 4 (a) of the ICERD, as this reservation undermines one of the key objectives of this Convention (South Africa);			●			As above.

¹ The recommendation as read out during the interactive dialogue: “Ratifies the ILO Convention 169”.

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86.16. Lift its reservations to the following international conventions: the ICERD, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights and the CRC (Denmark);			●			As above. See also HRC Concluding Observations, [9] and CEDAW Concluding Observations, [18] and [19].
86.17. Bring its legislation and practices into line with international obligations (Sweden);	●	●				CEDAW Concluding Observations, [17] and [21]. HRC Concluding Observations, [8], [11], [12], [19], [21] and [23]. CERD Concluding Observations, [10] and [13]. CESCR Concluding Observations, [11] and [14]. CAT Concluding Observations [9], [15], [18], [24], [30] and [31]. CRC Concluding Observations, [9], [10], [35], [36] and [74]. Report of SR Adequate Housing, [130]. Report of SR on Indigenous Rights, [75].
86.18. Take the necessary measures to fully incorporate into Australian legislation its international obligations in the field of human rights (France);			●			As above. See also Human Rights Committee, <i>General Comment 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant</i> , UN Doc CCPR/C/21/Rev.1/Add.13 (2004), [13].
86.19. Incorporate its international obligations under human rights instruments into domestic law (Jordan);			●			As above.

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	Immediate	Progressive				
86.20. Continue its efforts in strengthening the mechanisms for the effective incorporation of international human rights obligations and standards into its domestic legislation (Argentina);			●			CAT Concluding Observations, [9]. CESCR Concluding Observations, [11]. CERD Concluding Observations, [9]. CEDAW Concluding Observations, [16]. HRC Concluding Observations, [8]. See also Human Rights Committee, <i>General Comment 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant</i> , UN Doc CCPR/C/21/Rev.1/Add.13 (2004), [13].
86.21. Strengthen its human rights framework by establishing a comprehensive legislative scheme for all human rights (Timor-Leste);			●			HRC Concluding Observations, [8]. CEDAW Concluding Observations, [20] and [21]. CERD Concluding Observations, [10]. CESCR Concluding Observations, [11]. CAT Concluding Observations, [10]. Report of SR on Adequate Housing, [130]. See also Human Rights Committee, <i>General Comment 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant</i> , UN Doc CCPR/C/21/Rev.1/Add.13 (2004), [13].

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86.22. Consider a comprehensive Human Rights Act as recommended by the National Human Rights Consultative Committee (Canada); Incorporate its international human rights obligations into domestic law by elaborating a comprehensive, judicially enforceable Human Rights Act to ensure legislative protection of human rights (Ukraine); Fully incorporate its international human rights obligations in domestic law through the adoption of a comprehensive justiciable law on human rights (Russian Federation); Implement a federal human rights act to maximize all Australian’s legal human rights protection in accordance with Australia’s international obligations (Norway);			●			HRC Concluding Observations, [8]. CESCR Concluding Observations, [11]. CEDAW Concluding Observations, [24] and [25]. CAT Concluding Observations, [9]. CERD Concluding Observations, [10]. Report of SR on Adequate Housing, [10]-[11] and [15]. Report of SR on Health, [7], [14]-[15] and [100]. Report of SR on Indigenous Peoples. See also Human Rights Committee, <i>General Comment 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant</i> , UN Doc CCPR/C/21/Rev.1/Add.13 (2004), [13].
86.23. Focus on nationwide enforcement of its existing anti-discrimination law, plan adequately for nationwide implementation, especially as it relates to discrimination against indigenous persons (United States);	●					CERD Concluding Observations, [16].
86.24. Fully implement the Racial Discrimination Act and the revision of federal laws to be compatible with the United Nations Declaration on the Rights of Indigenous Peoples (Norway);			●			Report of SR on Indigenous Peoples, [74].
86.25. Consider reinstating, without qualification, the Racial Discrimination Act into the arrangements under the Northern Territory Emergency Response and any subsequent arrangement (Canada);	●					CERD Concluding Observations, [16]. HRC Concluding Observations, [14]. Report of SR on Health, [100]. Report of SR on Indigenous Peoples, Appendix B.

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86.26. Consult with Aboriginal and Torres Strait Islander people, and take into consideration the guidelines proposed by the Australian Human Rights Commission before considering suspension of the Racial Discrimination Act for any future intervention affecting the Aboriginal and Torres Strait Islander people (Slovenia);	●					CERD Concluding Observations, [18]. Report of SR Indigenous Peoples, [72].
86.27. Facilitate the provision of sufficient funding and staffing for the Human Rights Commission and different commissioners, including the recently appointed Commissioner against racial discrimination (Bolivia);			●			CERD Concluding Observations, [11]. CESCR Concluding Observations, [13].
86.28. Establish a National Children’s Commissioner to monitor compliance with the CRC (New Zealand);			●			CRC Concluding Observations, [15].
86.29. Consider establishing an independent commissioner for child rights (Poland);			●			
86.30. Continue measures for the adoption of the new National Action Plan on Human Rights (Azerbaijan);				●		
86.31. Adopt a rights-based approach to climate change policy at home and abroad, including by reducing greenhouse gas emissions to safe levels that are consistent with the full enjoyment of human rights (Maldives);				●		CESCR Concluding Observations, [27].
86.32. Develop a comprehensive poverty reduction and social inclusion strategy, which would integrate economic, social and cultural rights (Ghana);		●				CESCR Concluding Observations, [24].
86.33. In line with the CESCR recommendation, develop a comprehensive poverty reduction and social inclusion strategy, which should integrate economic, social and cultural rights (Pakistan);		●				As above.
86.34. Implement the observations of the Human Rights Committee by adopting the necessary legislation to ensure that no one is extradited to a State where they would be in danger of the death penalty (France);	●					HRC Concluding Observations, [20].

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86.35. Follow-up on the implementation of recommendations of human rights mechanisms (Austria);	●					HRC Concluding Observations, [19] and [20]. Human Rights Committee, <i>General Comment 33: The Obligations of States Parties under the Optional Protocol to the International Covenant on Civil and Political Rights</i> , UN Doc CCPR/C/GC/33 (2008).
86.36. Consider implementing the recommendations of human rights treaty bodies and special procedures concerning Indigenous people (Jordan);			●			
86.37. Implement the recommendations made by the UN Special Rapporteur on the rights of Indigenous people after his visit in 2009 (Norway);						Not possible to categorise given the range of recommendations contained in the Report.
86.38. Consider implementing the recommendations of UNHCR, human rights treaty bodies and special procedures with respect to asylum-seekers and irregular immigrants especially children (Jordan);						Not possible to categorise given the range of recommendations made by those bodies. HRC Concluding Observations, [20], [23] and [24]. CERD Concluding Observations, [24]. CESCR Concluding Observations, [30], [16], [18] [20] and [25]. CRC Concluding Observations, [64]. CAT Concluding Observations, [12], [17] and [25].

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86.39. Comply with the recommendations of the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women concerning the sterilization of women and girls with disabilities (Denmark); Enact national legislation prohibiting the use of non-therapeutic sterilisation of children, regardless of whether they have a disability, and of adults with disability without their informed and free consent (United Kingdom); Repeal all legal provisions allowing sterilization of persons with disabilities without their consent and for non-therapeutic reasons (Belgium); Abolish non-therapeutic sterilization of women and girls with disabilities (Germany);	●					CEDAW Concluding Observations, [42] and [43]. CRC Concluding Observations, [46].
86.40. Continue its laudable measures to address the plight of persons with disabilities, in particular through pursuance of the draft National Disability Strategy, and share its experience in this regard (Botswana);			●			
86.41. Complete as soon as possible a general framework of measures to ensure equality of chances for people with disabilities (Republic of Moldova);			●			CESCR Concluding Observations, [16]. CRC Concluding Observations, [45]. CEDAW Concluding Observations, [43].
86.42. Ensure that its efforts to harmonise and consolidate Commonwealth anti-discrimination laws address all prohibited grounds of discrimination and promote substantive equality (United Kingdom);	●					HRC Concluding Observations, [12]. CESCR Concluding Observations, [14].
86.43. Enact comprehensive equality legislation at the federal level (Pakistan); Grant comprehensive protection to rights of equality and non-discrimination in its federal law (India);	●					CEDAW Concluding Observations, [21]. CESCR Concluding Observations, [11] and [14]. HRC Concluding Observations, [8] and [12]. CERD Concluding Observations, [10]. CAT Concluding Observations, [9].

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86.44. Enact comprehensive legislation which prohibits discrimination on all grounds to ensure the full enjoyment of all human rights by every member of society (South Africa);	●					As above.
86.45. Continue its efforts to harmonize and consolidate its domestic legislation against all forms of discrimination on the basis of international standards (Argentina);	●					CEDAW Concluding Observations, [24] and [25]. CERD Concluding Observations, [25].
86.46. Strengthen the federal legislation to combat discrimination and ensure an effective implementation with a view to a better protection of the rights of vulnerable persons, in particular children, persons in detention and persons with disabilities (Morocco);	●					CEDAW Concluding Observations, [21]. CESCR Concluding Observations, [11] and [14]. HRC Concluding Observations, [8] and [12]. CERD Concluding Observations, [10]. CAT Concluding Observations, [9].
86.47. Take firm measures to end discrimination and violence against women, children and people from vulnerable groups so as to enhance a better respect for their dignity and human rights (Viet Nam);	●					CEDAW Concluding Observations, [28], [29], [40], [41], [43] and [44]. CESCR Concluding Observations, [22]. CERD Concluding Observations, [23]. CRC Concluding Observations, [42] and [43]. HRC Concluding Observations, [17].
86.48. Put an end, in practice and in law, to systematic discrimination on the basis of race in particular against women of certain vulnerable groups (Islamic Republic of Iran);	●					CERD Concluding Observations, [14].

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86.49. Further ensure that everyone is entitled to equal respect and to a fair participation with full enjoyment of equal rights and opportunities in economic, political, social and cultural developments as incorporated in the laws and plans of action (Cambodia);	●					CESCR Concluding Observations, [11].
86.50. Take appropriate measures to reduce the development gap and social disparities so as to enhance the full enjoyment of all human rights for all Australian people, especially in the areas of economic, cultural and social rights (Viet Nam);	●					As above.
86.51. Intensify its efforts to further combat gender discrimination (Norway);			●			CEDAW Concluding Observations, [14].
86.52. Strengthen the Sex Discrimination Act as indicated in the National Report, and consider the adoption of temporary special measures, as recommended by CEDAW (Israel);	●					CEDAW Concluding Observations, [20], [21], [26] and [27].
86.53. Develop and implement policies to ensure gender equality throughout society and strengthen the promotion and protection of the rights of women, especially women from indigenous communities (South Africa);	●					See all CEDAW Concluding Observations, particularly at [41]. Report of SR Indigenous People, [101].
86.54. Persist in its efforts in order to redress remaining gender inequalities, in particular with regard to the employment of women in the private sector (Japan);			●			CESCR Concluding Observations, [17].
86.55. Adopt targets of 40 percent representation of women on public and private sector boards (Norway);				●		
86.56. Remain steadfast in pursuing its policies towards gender equality, in particular through its Fair Work Act (Botswana);			●			CEDAW Concluding Observations, [38].

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86.57. Further strengthen its efforts to promote equality, non-discrimination and tolerance through the monitoring of racially motivated violence and inclusion of human rights education in school and university curriculum (Thailand);			●			CERD Concluding Observations, [27]. HRC Concluding Observations, [27].
86.58. Step up measures, such as human rights education in schools, so as to promote a more tolerant and inclusive society (Japan);				●		
86.59. Strengthen further the measures to combat discrimination against minority communities, including Muslim communities in Australia (Algeria);	●					HRC Concluding Observations, [26]. CERD Concluding Observations, [14].
86.60. Take measures towards ensuring the equal and the full enjoyment of the basic rights of all its citizens including persons belonging to Indigenous communities, and to effectively prevent and, if necessary, combat racial discrimination (Sweden);	●					See also: CERD Concluding Observations, [9] and [15]. CRC Concluding Observations, [25]. CESCR Concluding Observations, [14]. HRC Concluding Observations, [12]. Report of SR Health, [100]. Report of SR Indigenous Peoples, [73].
86.61. Continue its efforts to promote multicultural and racial tolerance through initiatives such as the Australian Multicultural Advisory Council and the Diversity and Social Cohesion Programme (Singapore);				●		CERD Concluding Observations, [14].
86.62. Take more effective measures to address discrimination and other problems related to racial and ethnic relations including by developing and implementing appropriate policy and programmes with a view to improving and strengthening relations between races and cultures (Malaysia);			●			As above.

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86.63. Strengthen its measures and continue its efforts promoting multiculturalism and social inclusion (Morocco);			●			As above.
86.64. Continue their great efforts to put an end to all practices likely to interfere with the peaceful coexistence among the different groups of the multi-ethnic society of Australia (Yemen);			●			As above.
86.65. Implement additional measures to combat discrimination, defamation and violence (including cyber racism) against the Arab population and Australian Muslims, against recently arrived migrants (primarily from Africa) and also foreign students (essentially coming from India) (Russian Federation);			●			CERD Concluding Observations, [14]. HRC Concluding Observations, [26].
86.66. Continue to implement the harmonization and consolidation of anti-discriminatory laws and to move forward with the promulgation of laws protecting persons against discrimination on the grounds of sexual orientation or gender (Colombia);	●					HRC Concluding Observations, [12]. CESCR Concluding Observations, [14].
86.67. Introduce a national legal provision prohibiting discrimination and harassment based on sexual orientation and gender (Switzerland);	●					
86.68. As a high priority, introduce Federal law which prohibits discrimination on the grounds of sexual orientation (New Zealand);	●					
86.69. Take measures to ensure consistency and equality across individual States in recognising same-sex relationships (United Kingdom);				●		As above.
86.70. Amend the Marriage Act to allow same-sex partners to marry and to recognize same-sex marriages from overseas (Norway);				●		

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86.71. Enact legislation to ensure the humane treatment of prisoners (Hungary);			●			CERD Concluding Observations, [20]. CESCR Concluding Observations, [29] and [30]. CAT Concluding Observations, [24]. Report of SR Health, [100].
86.72. Strengthen efforts to combat family violence against women and children with a particular focus on Indigenous communities (United States);		●				CEDAW Concluding Observations, [28], [29] and [40]-[45]. HRC Concluding Observations, [17]. CRC Concluding Observations, [43]. Report of SHR Indigenous Peoples, [101].
86.73. Adopt special legislation to prevent and combat violence against women and girls and to prosecute and punish the perpetrators (Islamic Republic of Iran);			●			As above.
86.74. Adapt its legislation to ensure greater security for women and children (Switzerland);			●			As above. See also CEDAW Concluding Observations, [39].
85.75. Introduce a full prohibition of corporal punishment within the family in all states and territories (Russian Federation);			●			CRC Concluding Observations, [35] and [36]. CAT Concluding Observations, [31].
86.76. Speed up the process for the adoption of the National Plan to Reduce Violence against Women and their Children (Azerbaijan);			●			HRC Concluding Observations, [17]. CEDAW Concluding Observations, [29] and [41]. Report of SR Indigenous Peoples, [101].

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86.77. Take steps, in partnership with State, Territory and Local governments, to further advance and accelerate implementation of the National Action Plan to Reduce Violence against Women and Their Children, so as to effectively address prevalence of violence against these vulnerable groups (Canada);			●			As above.
86.78. Implement a national action plan to reduce violence against women and children (Switzerland);			●			As above.
86.79. Implement immediately the National Plan to Reduce Violence against Women and their Children (Norway);			●			As above.
86.80. Implement the National Action Plan to reduce violence against women and their children, including through an independent supervision mechanism that involves civil society organizations and take into account the specific situation of indigenous women and migrants (Mexico);			●			As above.
86.81. Effectively implement the national policy to reduce violence against women (Philippines);			●			As above.
86.82. Ensure that all victims of violence have access to counselling and assistance with recovery (Hungary);	●					CRC Concluding Observations, [43].
86.83. Continue to work and coordinate with countries in the region to strengthen the regional framework to deal with irregular migration and human trafficking in a comprehensive and sustainable manner, bearing in mind international human rights and humanitarian principles (Thailand);				●		CRC Concluding Observations, [68], [69]. CESCR Concluding Observations, [23]. HRC Concluding Observations, [22]. CAT Concluding Observations, [32]. CEDAW Concluding Observations, [30] and [31]. Report of SR Indigenous People, [100].

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86.84. Strengthen further its commitment to the Bali process as the principal mechanism in the region which deals with people smuggling and trafficking (Indonesia);				●		
86.85. Consider using the OHCHR’s Recommended Principles and Guidelines on Human Rights and Human Trafficking as a guide in its anti-trafficking measures (Philippines);			●			
86.86. Increase its efforts to fight human trafficking (Azerbaijan);			●			CRC Concluding Observations, [69]. CESCR Concluding Observations, [23]. HRC Concluding Observations, [22]. CAT Concluding Observations, [32]. CEDAW Concluding Observations, [30] and [31].
86.87. Increase efforts to criminally prosecute trafficking offenders, including employers and labour recruiters who subject migrant workers to debt bondage and involuntary servitude (United States);	●					CAT Concluding Observations, [32].
86.88. Take effective legal measures to prohibit the use of excessive force and “Tasers” by the police against various groups of peoples (Islamic Republic of Iran);	●					HRC Concluding Observations, [21].
86.89. Further improve the administration of justice and the rule of law including by setting up appropriate mechanisms in order to ensure adequate and independent investigation of police use of force, police misconduct and police related deaths (Malaysia);	●					HRC Concluding Observations, [21]. CAT Concluding Observations, [27].
86.90. Implement specific steps to combat the high level of deaths of indigenous persons in places of detention (Russian Federation);	●					CERD Concluding Observations, [20]. CAT Concluding Observations, [27].

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86.91. Introduce a requirement that all deaths in custody be reviewed and investigated by independent bodies tasked with considering prevention of deaths and implement the recommendations of Coronial and other investigations and enquiries (New Zealand);	●					CAT Concluding Observations, [23]. CERD Concluding Observations, [20].
86.92. Increase the provision of legal advice to Indigenous peoples with due translation services reaching especially Indigenous women of the most remote communities (Bolivia);	●					CERD Concluding Observations, [19]. HRC Concluding Observations, [25]. CEDAW Concluding Observations, [40] and [41]. Report of SR Indigenous Peoples, [104].
86.93. Implement measures in order to address the factors leading to an overrepresentation of Aboriginal and Torres Strait Islanders communities in the prison population (Austria);			●			CERD Concluding Observations, [20]. Report of SR Indigenous Rights, [102].
86.94. Examine possibilities to increase the use of non-custodial measures (Austria);			●			CAT Concluding Observations, [11] and [23].
86.95. Enhance the contacts and communication between Aboriginal and Torres Strait Islanders communities and representatives of the law enforcement officials and enhance the training of those officials with respect to cultural specificities of the above communities (Austria);				●		CERD Concluding Observations, [19]. CESCR Concluding Observations, [34]. HRC Concluding Observations, [27].
86.96. Improve the human rights elements of its training for law enforcement personnel (United States);	●					CESCR Concluding Observations, [34]. CERD Concluding Observations, [19]. HRC Concluding Observations, [27]. CAT Concluding Observations, [21]. CRC Concluding Observations, [23].

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	Immediate	Progressive				
86.97. Establish a National Compensation Tribunal, as recommended in the “Bringing Them Home” report, to provide compensation to Aboriginal and Torres Strait Islander people that are negatively affected by the assimilation policy, particularly as it applies to children unfairly removed from their families and the parents of those children (Slovenia);			●			CERD Concluding Observations, [26]. HRC Concluding Observations, [15]. Report of SR Indigenous Peoples, [83].
86.98. Take regular measures to prevent hate speech, including prompt legal action against those who incite discrimination or violence motivated by racial, ethnic or religious reasons (Brazil);	●					CERD Concluding Observations, [17]. HRC Concluding Observations, [26].
86.99. Develop a National Pay Strategy to monitor pay gaps mechanisms and establish a comprehensive child care policy, as recommended by CEDAW (Israel);				●		CEDAW Concluding Observations, [38] and [39].
86.100. Remove, in law and in practice, restrictions on the rights of workers to strike, as recommended by the CESCR (Israel);			●			CESCR Concluding Observations, [19].
86.101. Step up efforts to ensure that people living in the remote and rural areas, in particular the Indigenous peoples, receive adequate support services relating to accommodation and all aspects of health and education (Malaysia);		●				CRC Concluding Observations, [47], [48], [55], [57], [59], [61], [70] and [71]. CESCR Concluding Observations, [31]. CERD Concluding Observations, [16]. CEDAW Concluding Observations, [40] and [41]. Report of SR Health, [100]. Report of SR Indigenous Peoples, [94]-[97].

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86.102. Reform the Native Title Act 1993, amending strict requirements which can prevent the Aboriginal and Torres Strait Islander peoples from exercising the right to access and control their traditional lands and take part in cultural life (United Kingdom);	●					CESCR Concluding Observations, [32]. CERD Concluding Observations, [18]. HRC Concluding Observations, [16]. Report of SR Indigenous Peoples, [84]-[85] and [87].
86.103. Institute a formal reconciliation process leading to an agreement with Aboriginal and Torres Strait Islander people (Slovenia);			●			CERD Concluding Observations, [15].
86.104. Continue in particular the process of constitutional reform in order to better recognize the rights of indigenous peoples (France);			●			As above. See also CERD Concluding Observations, [75] and Report of SR Indigenous People.
86.105. Continue to implement its efforts to attain the constitutional recognition of indigenous peoples (Colombia);			●			As above.
86.106. Revise its Constitution, legislation, public policies and programmes for the full implementation of the Declaration of the Rights of Indigenous Peoples (Bolivia); Ensure effective implementation of the Declaration on the Rights of Indigenous People, including in the Northern Territory, and provide adequate support to the National Congress of Australia’s First Peoples to enable it to address the needs of indigenous people (Ghana); Develop a detailed framework to implement and raise awareness about the UN Declaration on the Rights of Indigenous Peoples in consultation with indigenous peoples (Hungary); Take further steps to ensure the implementation of the Declaration on the Rights of Indigenous Peoples (Denmark);			●			

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	Immediate	Progressive				
86.107. Launch a constitutional reform process to better recognize and protect the rights of the Aboriginals and Torres Strait Islanders which would include a framework covering the principles and objectives of the UN Declaration on the Rights of Indigenous Peoples and would take into account the opinions and contributions of indigenous peoples (Guatemala);			●			CERD Concluding Observations, [15]. Report of SR Indigenous Peoples, [74]-[75].
86.108. Include in its national norms recognition and adequate protection of the culture, values and spiritual and religious practices of Indigenous peoples (Bolivia);			●			As above.
86.109. Promote the inclusion and participation of Indigenous peoples and Torres Strait Islanders in any process or decision-making that may affect their interests (Bolivia);	●					CERD Concluding Observations, [16] and [18]. HRC Concluding Observations, [13] and [14]. Report of SR Indigenous Peoples, [72] and [79]-[82]. Report of SR Health, [100].
86.110. Strengthen efforts and take effective measures with the aim of ensuring enjoyment of all rights for Indigenous people, including participation in decision-making bodies at all levels (Bosnia and Herzegovina);	●					As above.
86.111. Ensure that its legislation allows for processes of consultations in all actions affecting indigenous peoples (Mexico);	●					As above.
86.112. Continue to engage with the Aboriginal population and Torres Strait Islanders and ensure the equal protection of their fundamental rights (Indonesia);	●					As above.
86.113. Increase the participation of the Aboriginal and Torres Strait Islanders communities in the process of closing the gap in opportunities and life outcomes (Austria);	●					As above.

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86.114. Continue the implementation of policies aimed at improving the living standards of Indigenous peoples and take all the necessary measures to eradicate discrimination against them (France);		●				CRC Concluding Observations, [57] and [58]. CESCR Concluding Observations, [18], [20], [22], [24], [26], [27], [28], [30], [31] and [32]. CERD Concluding Observations, [16], [19], [20], [21]. CERD Concluding Observations, [22]. HRC Concluding Observations, [16], [17] and [25]. CEDAW Concluding Observations, [41]. Report of SR Indigenous Peoples, especially [91] to [100].
86.115. Continue its efforts to narrow the gap in opportunities and life outcomes between Indigenous and non-Indigenous Australians (Singapore);		●				CRC Concluding Observations, [57] and [58]. CESCR Concluding Observations, [28]. CERD Concluding Observations, [16] and [22]. CEDAW Concluding Observations, [41]. Report of SR Indigenous Peoples, especially [91] to [100].

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	Immediate	Progressive				
86.116. Intensify its on-going efforts to close the gap in opportunities and life outcomes between Indigenous and non-Indigenous peoples, especially in the areas of housing, land title, healthcare, education and employment (Thailand);		●				CRC Concluding Observations, [57] and [58]. CESCR Concluding Observations, [18], [20], [22], [24], [26], [27], [28], [30], [31] and [32]. CERD Concluding Observations, [16], [18], [19], [20], [21] and [22]. HRC Concluding Observations, [7], [16] and [25]. CEDAW Concluding Observations, [41]. Report of SR Adequate Housing, [133] and [134]. Report of SR Health, [100]. Report of SR Indigenous Peoples, especially [84] to [100].
86.117. Continue addressing effectively the socio-economic inequalities for Indigenous people (Jordan);		●				CRC Concluding Observations, [57] and [58]. CESCR Concluding Observations, [18], [20], [22], [24], [26], [27], [28], [30], [31] and [32]. CERD Concluding Observations, [16] and [22]. HRC Concluding Observations, [16], [17] and [25]. CEDAW Concluding Observations, [41].
86.118. Carry out, in consultation with the communities concerned, a comprehensive assessment of the effectiveness of actions and strategies aimed at improving socio-economic conditions of Indigenous peoples and if necessary correct these actions (Belgium);		●				CESCR Concluding Observations, [15] and [32]. CERD Concluding Observations, [16], [18], [20] and [22]. HRC Concluding Observations, [14]. Report of SR Health, [100]. Report of SR Indigenous Peoples, [84]-[100].

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	Immediate	Progressive				
86.119. Take immediate legal measures to remove restrictions against access of indigenous women and children to appropriate health and education services and employment opportunities (Islamic Republic of Iran);		●				CRC Concluding Observations, [57] and [58]. CERD Concluding Observations, [16]. CEDAW Concluding Observations, [41]. Report of SR Health, [100]. Report of SR Indigenous Peoples, [94]-[99].
86.120. Continue efforts to increase the representation of indigenous women in decision making posts (Morocco);			●			CEDAW Concluding Observations, [27] and [35].
86.121. Safeguard the rights of refugees and asylum seekers (Sweden);	●					CRC Concluding Observations, [64]. CERD Concluding Observations, [24]. HRC Concluding Observations, [24]. CAT Concluding Observations, [12] and [17]. Report of SR Health, [100].
86.122. Honour all obligations under Articles 31 and 33 of the Convention relating to the Status of Refugees and ensure that the rights of all refugees and asylum-seekers are respected, providing them access to Australian refugee law (Slovenia);	●					CERD Concluding Observations, [24]. CAT Concluding Observations, [12] and [25].
86.123. Ensure the processing of asylum seekers’ claims in accordance with the UN Refugee Convention and that they are detained only when strictly necessary (Norway);	●					CRC Concluding Observations, [64]. CERD Concluding Observations, [24].
86.124. Cease the practice of <i>refoulement</i> of refugees and asylum-seekers, which puts at risk their lives and their families’ lives (Slovenia);	●					CERD Concluding Observations, [24]. CAT Concluding Observations, [15] and [16].

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86.125. Ensure in its domestic law that the principle of <i>non-refoulement</i> is respected when proceeding with the return of asylum-seekers to countries (Ghana);	●					CERD Concluding Observations, [24]. CAT Concluding Observations, [15] and [16].
86.126. Repeal the provisions of the Migration Act 1958 relating to the mandatory detention (Pakistan); Revise the Migration Law of 1958 so that federal initiatives do not penalise foreign migrants in an irregular situation (Guatemala);	●					CESCR Concluding Observations, [16] and [25]. CAT Concluding Observations, [11] and [12].
86.127. Review its mandatory detention regime of asylum seekers, limiting detention to the shortest time reasonably necessary (Ghana);	●					HRC Concluding Observations, [23]. CRC Concluding Observations, [64]. CERD Concluding Observations, [24]. CAT Concluding Observations, [11].
86.128. Address the issue of children in immigration detention in a comprehensive manner (Philippines);	●					CRC Concluding Observations, [64]. CERD Concluding Observations, [24]. HRC Concluding Observations, [24]. CAT Concluding Observations, [25].
86.129. Ensure that no children are held in detention on the basis of their migratory status and that special protection and assistance is provided to unaccompanied children (Brazil);	●					CRC Concluding Observations, [64]. CERD Concluding Observations, [24]. HRC Concluding Observations, [24]. CAT Concluding Observations, [25].
86.130. Take efficient measures to improve the harsh conditions of custody centres in particular for minorities, migrants and asylum seekers (Islamic Republic of Iran);	●					CRC Concluding Observations, [64] and [74]. CAT Concluding Observations, [25] and [26]. Report of SR Health, [100].

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86.131. Consider alternatives to the detention of irregular migrants and asylum seekers, limit the length of detentions, ensure access to legal and health assistance and uphold its obligations under the Vienna Convention on Consular Relations (Brazil);	●					CERD Concluding Observations, [24]. CAT Concluding Observations, [11] and [12]. Report of SR Health, [100].
86.132. Do not detain migrants other than in exceptional cases and limit this detention to six months and bring detention conditions into line with international standards in the field of human rights (Switzerland);	●					CAT Concluding Observations, [11] and [26]. Report of SR Health, [100].
86.133. Ensure all irregular migrants have equal access to and protection under Australian law (Timor-Leste);	●					CESCR Concluding Observations, [16], [18] and [20]. CERD Concluding Observations, [24]. CAT Concluding Observations, [12] and [17].
86.134. Continue to work and coordinate with countries in the region to strengthen the regional framework to deal with irregular migration and human trafficking in a comprehensive and sustainable manner, bearing in mind international human rights and humanitarian principles (Thailand);				●		
86.135. Protect Official Development Assistance from budgetary cuts in the context of the international crisis and making every effort to bring it to the internationally agreed target of 0.7 per cent of GDP (Algeria);			●			
86.136. Investigate allegations of torture in the context of counter-terrorism measures, give publicity to the findings, bring perpetrators to justice and provide reparation to the victims (Brazil);	●					
86.137. Carry out a review of all 50 newly adopted laws since 2001 on combating terrorism, and of their application in practice so as to check their compliance with Australia’s human rights obligations (Russian Federation);		●				HRC Concluding Observations, [12]. CAT Concluding Observations, [10] and [11].

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86.138. Review the compatibility of its legislative framework to combat terrorism with its international obligations in the field of human rights and remedy any possible gaps (Belgium);		●				CRC Concluding Observations, [25]. CERD Concluding Observations, [12]. HRC Concluding Observations, [11]. CAT Concluding Observations, [10].
86.139. Continue to ensure that its legislation and methods to combat terrorism are in accordance with the International Covenant on Civil and Political Rights (Republic of Moldova);	●					HRC Concluding Observations, [11].
86.140. Ensure, in particular through its Independent National Security Legislation Monitor, that its national legislation is in keeping with its international obligations in the field of human rights (Switzerland);		●				CRC Concluding Observations, [25]. CERD Concluding Observations, [12]. HRC Concluding Observations, [11]. CAT Concluding Observations, [10].
86.141. Continue to share its experiences for the promotion of human rights in the region and the world (Lao People’s Democratic Republic);			●			
86.142. Actively continue to implement the best practice and policy for the promotion and protection of the rights and living conditions, and to narrow the gap in living standards in favour of the vulnerable groups in the country (Lao People’s Democratic Republic);			●			Report of SR Health, [100].
86.143. Continue the consultation with civil society in a follow-up to its UPR (Poland);			●			
86.144. Continue to promote and protect human rights internationally through bilateral and multilateral dialogue to enhance human right capacity regionally across the Asia-Pacific and globally through the AusAID programme (Cambodia);			●			

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86.145. Continue its efforts for the promotion and protection of human rights in the world and in their country (Chad).			●			