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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR  
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE ANNEX  
TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**Monaco**

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

## I. BACKGROUND AND FRAMEWORK

### A. Scope of international obligations<sup>1</sup>

<i>Core universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	27 Sep. 1995	Yes (arts 2 (1), 4 and 14)	Individual complaints (art. 14): Yes
ICESCR	28 Aug. 1997	Yes (arts. 2 (2), 6, 8 (1) and (2), 9, 11, and 13)	-
ICCPR	28 Aug. 1997	Yes (arts. 2 (1) and (2), 3, 13, 14 (5), 19, 21, 22, 25, and 26)	Inter-State complaints (art. 41): No
ICCPR-OP 2	28 March 2000	-	-
CEDAW	18 March 2005	-	-
CAT	6 Dec. 1991	Yes (arts. 21, 22 and 30)	Inter-State complaints (art. 21): Yes Individual complaints (art. 22): Yes Inquiry procedure (art. 20): Yes
CRC	21 June 1993	Yes (arts. 7 and 40 (2) (b) (v))	-
OP-CRC-AC	12 Nov. 2001	Binding declaration under article 3: 21 years	-
OP-CRC-SC	24 Sept. 2008	-	-
<i>Core treaties to which Monaco is not a party: OP-ICESCR<sup>3</sup>, ICCPR-OP 1, OP-CEDAW, OP-CAT, ICRMW, CRPD, OP-CRPD, CED (signature only, 2007).</i>			

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	No
Palermo Protocol <sup>4</sup>	Yes
Refugees and stateless persons <sup>5</sup>	No, except the 1951 Convention
Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>6</sup>	Yes
ILO fundamental conventions <sup>7</sup>	No
UNESCO Convention against Discrimination in Education	No

1. The Human Rights Committee (HR Committee) encouraged Monaco to accede to ICCPR-OP 1 as soon as possible.<sup>8</sup> The Committee against Torture (CAT) recommended that Monaco consider ratifying OP-CAT.<sup>9</sup> The Committee on Economic, Social and Cultural Rights (CESCR) encouraged Monaco to join the ILO and sign and ratify those ILO conventions that relate to the provisions of the Covenant.<sup>10</sup> The Committee on the Rights of the Child (CRC) recommended that Monaco consider becoming a party to ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.<sup>11</sup> CESCR also encouraged Monaco to accede to the UNESCO Convention against Discrimination in Education.<sup>12</sup> CRC recommended that Monaco proceed to ratify the Statute of the International Criminal Court.<sup>13</sup>

2. In 2006, CESCR expressed concern at the interpretative declarations and reservations entered by Monaco when it ratified the Covenant and encouraged Monaco to review them, especially those that have become or are becoming obsolete, including those relating to article 2, paragraph 2, and articles 6, 9 and 13 of the Covenant, in the light of developments in Monaco.<sup>14</sup>

In 2008, the HR Committee also recommended that Monaco reconsider and reduce the number of its interpretative declarations, which have become out of date following changes in Monaco, including those relating to articles 13, 14 (5), 19 and 25 (c) of the Covenant.<sup>15</sup>

### **B. Constitutional and legislative framework**

3. In his 2005 report to the Economic and Social Council, the Secretary-General noted, as reported by the Government, that a series of laws are in force with regard to the issue of nationality. Article 18 of the Constitution of 17 December 1962, modified by Law No. 1249 of 2 April 2002, provides that nationality can be acquired or lost only pursuant to legal means.<sup>16</sup>

4. The HR Committee welcomed the amendment of the 1962 Constitution by Act No. 1249 of 2002 establishing the principle of the independence of the judiciary and verification by the Supreme Court of the legality of administrative decisions.<sup>17</sup>

5. CESCR noted with satisfaction the adoption of the Act of 15 July 2005 on freedom of public expression, which criminalizes insults of a racial, ethnic or religious nature and insults based on real or supposed sexual orientation.<sup>18</sup>

6. CESCR recommended that Monaco bring its legislation relating specifically to economic, social and cultural rights into line with the amended Civil Code.<sup>19</sup>

### **C. Institutional and human rights infrastructure**

7. CESCR and the HR Committee encouraged Monaco to establish an independent national human rights institution<sup>20</sup> in accordance with the Paris Principles.<sup>21</sup> According to CESCR, such institution needs to have a mandate to protect and promote all human rights, including economic, social and cultural rights.<sup>22</sup>

8. The HR Committee welcomed the creation of the institution of *juges des libertés*.<sup>23</sup>

### **D. Policy measures**

9. CESCR encouraged Monaco to ensure that human rights education is provided in schools at all levels, which was also recommended by CRC<sup>24</sup>, and to raise awareness about human rights, in particular economic, social and cultural rights, among State officials and the judiciary.<sup>25</sup>

10. CAT recommended that Monaco adopt regulations requiring the use of registers in police premises in conformity with, in particular, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.<sup>26</sup>

11. CESCR encouraged Monaco to raise its level of aid funding to the minimum recommended by the United Nations, namely 0.7 per cent of gross national product (GDP).<sup>27</sup>

12. CRC recommended that Monaco disseminate specific information on the provisions of the Optional Protocol on the involvement of children in armed conflict.<sup>28</sup>

## II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty body</i> <sup>29</sup>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>		<i>Reporting status</i>
CERD	2008		-		-
CESCR	2004	June 2006	-	Combined second and third report due	in 2009
HR Committee	2007	Oct. 2008	Due in 2009	Third report due in 2013	
CEDAW			-	Initial report overdue since 2006	
CAT	2002	May 2004	April 2006	Combined fourth and fifth report due	in 2009.
CRC	1999	June 2001	-	Second and third periodic report overdue since 2000 and 2005	respectively
OP-CRC- AC	2005	June 2007	-		-

#### 2. Cooperation with special procedures

<i>Standing invitation issued</i>	Yes
<i>Latest visits or mission reports</i>	None
<i>Visits agreed upon in principle</i>	None
<i>Visits requested and not yet agreed upon</i>	None
<i>Facilitation/cooperation during missions</i>	-
<i>Follow-up to visits</i>	-
<i>Responses to letters of allegations and urgent appeals</i>	No communications were sent to Monaco during the period under review.
<i>Responses to questionnaires on thematic issues</i> <sup>30</sup>	In the period under review, Monaco responded to two of the thirteen questionnaires sent by special procedures mandate holders, <sup>31</sup> within the deadlines. <sup>32</sup>

#### 3. Cooperation with the Office of the High Commissioner for Human Rights

13. Monaco contributed financially to OHCHR in 2005, 2006, 2007 and 2008.<sup>33</sup> CAT noted with satisfaction the contributions made annually since 1994 to the United Nations Voluntary Fund for Victims of Torture.<sup>34</sup>

### B. Implementation of international human rights obligations

#### 1. Equality and non-discrimination

14. In 2006, while taking note of the amendments made to the Civil Code, CESCR was concerned at the fact that there are different legal requirements for men and women wishing to acquire Monegasque nationality and therefore recommended that the rules on acquisition of nationality should be the same for men and women.<sup>35</sup>

15. In 2006, CESCR, while welcoming the adoption of Act No. 1296 of 12 May 2005 on the transmission of Monegasque nationality from mothers to children, remained concerned about the restrictions that prevent naturalised Monegasque women from transmitting Monegasque nationality to their children in the event of divorce. CESCR encouraged Monaco to adopt legislation that provides for equality at law in respect of the transmission of nationality of children by Monegasque women, regardless of the manner in which nationality was acquired.<sup>36</sup>

16. In 2008, the HR Committee noted with satisfaction the legislative advances made in equality between the sexes, in particular the Act No. 1278 of 29 December 2003 amending the Civil Code so that (a) man and wife have equal rights in the household and the choice of place of residence is now subject to agreement between the spouses, and (b) children born in and out of wedlock have equal rights.<sup>37</sup> In 2006, CESCR noted with satisfaction the major efforts made by Monaco to modernize its legislation, including by amending the Civil Code so as to ban any discrimination between children born in or out of wedlock or of adulterous or incestuous relationships and welcomed the fact that the Civil Code now refers only to “children” or “descendants”, as well as the replacement in the Code of the concept of paternal authority with that of parental authority.<sup>38</sup>

## **2. Right to life, liberty and security of the person**

17. In 2004, CAT noted with satisfaction the reform of the Criminal Code and the Code of Criminal Procedure to bring them into line with European human rights standards.<sup>39</sup> It expressed concern, however, about the narrow scope of articles 228 and 278 of the Criminal Code, which do not fully meet the requirements of article 4 of the Convention, since they relate only to murder committed by means of acts of torture or accompanied by acts of cruelty and to torture committed in the course of unlawful arrest or abduction.<sup>40</sup> CAT recommended that Monaco establish in domestic criminal law a definition of torture that is fully consistent with article 1 of the Convention.<sup>41</sup> It also recommended that Monaco enact in its domestic law a prohibition on the invocation of exceptional circumstances, or orders received from a superior officer of public authority, as a justification of torture.<sup>42</sup>

18. CAT expressed concern about the weakness of the safeguards associated with the expulsion and return (refoulement) of foreigners, inasmuch as there appears to be no clause on non-refoulement in Monaco’s domestic law that meets the requirements of article 3 of the Convention, and appeal to the Supreme Court does not automatically have suspensive effect.<sup>43</sup> CAT made recommendations in this regard. Noting that individuals have been expelled or returned only to France, CAT reminded Monaco that it must satisfy itself that no one will be returned to a third country where there might be a risk of torture.<sup>44</sup> In its follow-up reply, Monaco stated that, in the light of applicable domestic and international norms, expulsion and return measures decided by Monegasque authorities are not likely to expose persons concerned to treatment prohibited by the Convention.<sup>45</sup>

19. Concerned about the absence of any mechanism to that effect, CAT recommended that Monaco monitor physical prison conditions and the treatment of prisoners in French penitentiary establishments.<sup>46</sup> In its follow-up reply Monaco stated that Monegasque authorities had embarked on consultations aimed at reconciling the sovereignty of both Monaco and France with the action recommended by the Committee.<sup>47</sup>

20. In 2006, CESCR was concerned, about the lack of specific legislation on domestic violence against women and recommended that Monaco consider adopting legislation making

domestic violence a criminal offence, and establish judicial procedures to protect women who are victims of domestic violence.<sup>48</sup> In 2008, the HR Committee, while taking note of proceedings relating to the bill on domestic violence, encouraged Monaco to adopt specific legislation regarding domestic violence. It recommended that Monaco step up public information campaigns, inform women of their rights, provide victims with material and psychological support, and give specific training to the police on the subject.<sup>49</sup>

21. In 2001, CRC was concerned that corporal punishment is not prohibited under law and recommended that Monaco prohibit the practice of corporal punishment in the family and conduct information campaigns targeting, among others, parents, children, law enforcement and judicial officials and teachers, explaining children's rights in this regard and encouraging the use of alternative forms of discipline in a manner consistent with the child's human dignity and in conformity with the Convention, especially articles 19 and 28, paragraph 2.<sup>50</sup>

22. CRC, in order to strengthen international measures for the prevention of the recruitment of children and their use in hostilities, recommended that Monaco, in line with the minimum standards prescribed by the Convention on the Rights of the Child, and relevant instruments of international humanitarian law, consider establishing extra-territorial jurisdiction over war crimes which involve conscripting or enlisting children under the age of fifteen into the armed forces, or using them to participate actively in hostilities, if such crimes are committed by or against a Monegasque national or a person who otherwise has a close link with Monaco.<sup>51</sup>

23. The HR Committee took note of Monaco's assurances that banishment will be done away with during the current reform of the Criminal Code, but was still concerned that out-of-date provisions contrary to the Covenant remain in force. It therefore recommended that Monaco repeal out-of-date provisions contrary to the Covenant such as the criminal-law provisions authorizing banishment, which are in complete contradiction with article 12, paragraph 4, of the Covenant.<sup>52</sup>

### **3. Administration of justice and the rule of law**

24. CRC noted with appreciation that members of the Prince's Guard and the Fire Brigade, which are the only bodies having military status in the principality, must be at least 21 years of age.<sup>53</sup>

25. CAT expressed concern about the fact that persons in custody are not entitled to the assistance of counsel, there being no provision for such assistance until they first appear before the investigating magistrate, and can inform their next of kin that they have been detained only with the magistrate's authorization and therefore recommended that Monaco guarantee the right of individuals in detention to have access to a lawyer of their choosing and inform their next of kin within the first few hours of being detained.<sup>54</sup> In its follow-up reply Monaco stated that Monegasque authorities were aware that the provisions of the Code of Criminal Procedure are not in compliance with international requirements and informed that a revision of the Code was under way.<sup>55</sup> In 2008, the HR Committee hailed the passage of the "justice and freedom" Act, No. 1343 of 26 December 2007, amending the Code of Criminal Procedure and adding a new article 60-4 which deals with the rights of persons in custody and establishes a number of safeguards for human rights, including the right to consult a lawyer of one's choice.<sup>56</sup>

#### **4. Freedom of association and peaceful assembly**

26. The HR Committee took note of the bill on the principle of freedom to establish associations by simple declaration, but was however concerned about the discretion given to the Administration to determine that an association being set up is sectarian in nature. It therefore recommended that Monaco define more specifically the conditions required for setting up associations, and clarify what it means by “sectarian objectives”.<sup>57</sup>

#### **5. Right to social security and to an adequate standard of living**

27. CESCR noted that there is an effective social security system for salaried employees, but regretted that family benefits are not included in the social security regime applicable to the self-employed. It recommended that Monaco ensure that the social security system provides adequate protection to all categories of workers and their families.<sup>58</sup>

28. CESCR was concerned about the fact that non-Monegasques continue to be subject to a five-year residence requirement which prevents them from enjoying the right to housing and access to social welfare and medical treatment and recommended that Monaco reduce this five-year residence requirement.<sup>59</sup> In 2001, CRC was concerned that while Monegasque children have a right to free health care, domestic legislation and practice do not expressly guarantee the same right to all children in Monaco, in particular children from disadvantaged backgrounds and who are neither nationals nor residents of Monaco, and therefore recommended that Monaco ensure that a right to health care be provided to all children within its jurisdiction.<sup>60</sup>

29. In 2006, CESCR noted with concern the health problems affecting young people, resulting in particular from drug use and drug addiction and, recommended that Monaco step up its efforts to combat and prevent drug addiction, particularly among young people, and that it adopt specific legislation in that regard.<sup>61</sup> CRC, in 2001, expressed similar concerns and recommended that Monaco provide rehabilitative assistance to children who have abused drugs.<sup>62</sup>

30. CESCR noted with concern that abortion is illegal in all circumstances under Monaco’s legal system and recommended that Monaco review its legislation and that it consider making exceptions to the general ban on abortion where there are therapeutic reasons for so doing and in cases where pregnancy is the result of rape or incest.<sup>63</sup> In 2008, the HR Committee, while taking note of the bill on medical interruption of pregnancy intending to amend article 248 of the Criminal Code so that medical interruption of pregnancy will no longer be a crime, *inter alia*, when pregnancy endangers a woman’s life or physical health, was also concerned that abortion is still illegal in all circumstances under Monaco’s legal system.<sup>64</sup> It recommended that Monaco bring its legislation regarding abortion in line with the Covenant and take measures to assist women in avoiding unwanted pregnancies so that women do not have to resort to illegal abortions or to abortions in unsure circumstances that may put their lives in danger or to abortions abroad.<sup>65</sup>

#### **6. Human rights and counter-terrorism**

31. While understanding the security requirements associated with efforts to combat terrorism, the HR Committee was concerned about the broad, ill-defined definition of terrorist acts given in book III, title III, of the Criminal Code on offenses against the State, in particular about the lack of clarity regarding the definition of “environmental terrorism”.<sup>66</sup> The HR

Committee therefore recommended that Monaco make sure that any action taken to combat terrorism is in keeping with the requirement of the Covenant, elaborate and adopt a clearer definition of terrorist acts, and provide the Committee with further information on the definition and scope of “environmental terrorism”.<sup>67</sup>

### III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

32. CESCR noted with satisfaction that unemployment is virtually non-existent in Monaco.<sup>68</sup>

### IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

#### A. Pledges by the State

N/A.

#### B. Specific recommendations for follow-up

33. In 2004, CAT requested Monaco to provide within one year information on the action taken on its recommendations in relation to the respect of the principle of non-refoulement, the guarantee of the right of individuals in detention to have access to a lawyer of their choice, the monitoring of physical prison conditions and how prisoners are treated in French penitentiary establishments.<sup>69</sup> Monaco replied on 30 March 2006.<sup>70</sup>

### V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

34. CRC noted with appreciation the activities in the area of international cooperation, including the provision of financial support for action to protect the rights of children in armed conflict and encouraged Monaco to continue these activities.<sup>71</sup>

#### Notes

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<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>.

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography



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ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>3</sup> Adopted by the General Assembly in its resolution 63/117 of 10 December 2008, in which the General Assembly recommended that a signing ceremony be organized in 2009. Article 17, para. 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.

<sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>5</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

<sup>6</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).

<sup>7</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

<sup>8</sup> Concluding observation of the Human Rights Committee (CCPR/C/MCO/CO/2), para. 7.

<sup>9</sup> Conclusions and recommendations of the Committee against Torture (CAT/C/CR/32/1), para. 5(g).

<sup>10</sup> Concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/MCO/CO/1), para. 26.

<sup>11</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/OPAC/MCO/CO/1), para. 9(b).

<sup>12</sup> E/C.12/MCO/CO/1, para. 28.

<sup>13</sup> CRC/C/OPAC/MCO/CO/1, para. 9(b).

<sup>14</sup> E/C.12/MCO/CO/1, paras. 8 and 16.

<sup>15</sup> CCPR/C/MCO/CO/2, para. 6.

<sup>16</sup> E/CN.4/2006/88, p. 5.

<sup>17</sup> CCPR/C/MCO/CO/2, para. 3.

<sup>18</sup> E/C.12/MCO/CO/1, para. 3.

<sup>19</sup> Ibid., para. 25.

<sup>20</sup> For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex 1.

<sup>21</sup> E/C.12/MCO/CO/1 para. 24; CCPR/C/MCO/CO/2 para. 8.

<sup>22</sup> Ibid., para. 24.

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<sup>23</sup> CCPR/C/MCO/CO/2, para. 5.

<sup>24</sup> CRC/C/15/Add.158, para. 37.

<sup>25</sup> E/C.12/MCO/CO/1, para. 27.

<sup>26</sup> CAT/C/CR/32/1, para. 5.

<sup>27</sup> E/C.12/MCO/CO/1, para. 29.

<sup>28</sup> CRC/C/OPAC/MCO/CO/1, para. 7.

<sup>29</sup> The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child

<sup>30</sup> The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate holder.

<sup>31</sup> See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent on July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78), questionnaire on child pornography on the Internet sent in July 2004; (k) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (l) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (m) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations sent in 2007.

<sup>32</sup> The questionnaire on the right to education for girls, and the questionnaire on the right to education in emergency situations.

<sup>33</sup> OHCHR Annual Report 2005, p. 15; OHCHR Annual Report 2006, p. 158; OHCHR 2007 Report on Activities and Results, p. 167; OHCHR 2008 Report on Activities and Results..

<sup>34</sup> CAT/C/CR/32/1, para. 3.

<sup>35</sup> E/C.12/MCO/CO/1, paras. 11 and 19.

<sup>36</sup> *Ibid.*, paras. 9 and 17.

<sup>37</sup> CCPR/C/MCO/CO/2, para. 4.

<sup>38</sup> E/C.12/MCO/CO/1, para. 6.

- <sup>39</sup> CAT/C/CR/32/1, para. 3.
- <sup>40</sup> Ibid., para. 4(d).
- <sup>41</sup> Ibid., para.5(a).
- <sup>42</sup> Ibid, para. 5(b).
- <sup>43</sup> Ibid., para. 4.
- <sup>44</sup> Ibid., para. 5(c).
- <sup>45</sup> CAT/C/MCO/CO/4/Add.1, para. 14.
- <sup>46</sup> CAT/C/CR/32/1, para.5.
- <sup>47</sup> CAT/C/MCO/CO/4/Add.1, para. 27.
- <sup>48</sup> E/C.12/MCO/CO/1, paras. 14 and 22.
- <sup>49</sup> CCPR/C/MCO/CO/2, para. 9.
- <sup>50</sup> CRC/C/15/Add.158, paras. 26-27.
- <sup>51</sup> CRC/C/OPAC/MCO/CO/1, para. 9.
- <sup>52</sup> CCPR/C/MCO/CO/2, para. 12.
- <sup>53</sup> CRC/C/OPAC/MCO/CO/1, para. 4.
- <sup>54</sup> CAT/C/CR/32/1, paras. 4-5.
- <sup>55</sup> CAT/C/MCO/CO/4/Add.1, paras. 16-17.
- <sup>56</sup> CCPR/C/MCO/CO/2, para. 5.
- <sup>57</sup> Ibid., para. 13.
- <sup>58</sup> E/C.12/MCO/CO/1, paras. 12 and 20.
- <sup>59</sup> Ibid., paras. 10 and 18.
- <sup>60</sup> CRC/C/15/Add.158, paras. 34-35.
- <sup>61</sup> E/C.12/MCO/CO/1, paras. 13 and 21.
- <sup>62</sup> CRC/C/15/Add.158, paras. 40-41.
- <sup>63</sup> E/C.12/MCO/CO/1, paras. 15 and 23.
- <sup>64</sup> CCPR/C/MCO/CO/2, para. 10.
- <sup>65</sup> Ibid..
- <sup>66</sup> Ibid., para. 11.
- <sup>67</sup> Ibid.
- <sup>68</sup> E/C.12/MCO/CO/1, para. 5.
- <sup>69</sup> CAT/C/CR/32/1, para. 7.
- <sup>70</sup> CAT/C/MCO/CO/4/Add.1.
- <sup>71</sup> CRC/C/OPAC/MCO/CO/1, paras. 5 and 10.

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