



UPR Recommendations: SMART or not SMART?

The death penalty

1. Publish or make available precise information on the identity and number of the individuals currently awaiting execution and of those who were executed in the past year (Belgium to China)
2. Publicize the statistics on execution (Switzerland to China)
3. Instate an official moratorium on executions with a view to abolishing capital punishment, abolish the automatic sentencing to capital punishment for drug traffickers and commute all capital punishments to life prison sentences (France to Malaysia)
4. Take specific measures in follow-up to the recommendations of the Human Rights Committee to the United States in 2014 with regards to capital punishment such as measures to avoid racial bias, to avoid wrongful sentencing to death and to provide adequate compensation if wrongful sentencing happens (Belgium to USA)
5. Strengthen the justice sector in order to avoid imposing the death penalty on those persons wrongly convicted, and reconsider the use of methods which give raise to cruel suffering when this punishment is applied (Democratic Republic of the Congo to USA)

Detention conditions

6. Undertake effective measures to combat poor detention conditions (Algeria to Papua New Guinea)
7. Ensure that all allegations of excessive use of force, torture and cruel and other forms of ill treatment, including in detention places and prisons, committed by law enforcement personnel are thoroughly and objectively investigated, bringing alleged perpetrators to justice and providing appropriate remedies to victims (Belarus, Slovakia, Tunisia, and Austria to Argentina)
8. Invite the Special Rapporteur and/or an international humanitarian organization recognized for its independence to visit “reform institutions” and other correctional and penitentiary institutions to assess/evaluate detention conditions with a view to proposing measures to improve these conditions so that they meet international norms and standards (Belgium to the Democratic People’s Republic of Korea)
9. Enact comprehensive prison and related judicial reform to ensure that conditions of detention are in conformity with the United Nations Standard Minimum Rules

- for the Treatment of Prisoners, including but not limited to: addressing overcrowding and sanitary issues in prisons; providing sufficient resources for rehabilitation and reintegration of prisoners; and relieving the judicial backlog that has contributed to the detention of over 2,000 people in remand awaiting a trial, many who have been in custody for several years (Canada to Trinidad & Tobago)
10. Intensify its efforts to ensure that national prison rules and policies are in line with the revised United Nations Standard Minimum Rules for the Treatment of Prisoners or the Nelson Mandela Rules (Thailand to Mozambique)
 11. In line with the rules 83-85 of the United Nations Standard Minimum Rules for the Treatment of Prisoners, “the Nelson Mandela rules,” to create an external, independent inspection body that has access to all categories of prisoners in all places of detention that are under the Ministry of Justice (United Kingdom to Thailand)

Fair trial and access to justice

12. Repeal order 3/2015 of the National Council for Peace and Order and ensure that all civilians are tried before a civilian court and granted the right to fair trial in line with Thailand’s obligations as a State party to the International Covenant on Civil and Political Rights (Belgium to Thailand)
13. Enshrine fully the right to fair trial and due process guarantees (Israel to Democratic People’s Republic of Korea)
14. Take the necessary measures to guarantee its citizens’ right to equality before the law, to be presumed innocent until proven guilty, and to a fair and public trial, as well as the right to freedom from arbitrary arrest or detention (Canada to Vietnam)
15. Ensure the independence of the judicial system and ensure the rules of fair trial and the rights of the defence (France to Iran)
16. Continue enhancing the principle of public trials, and monitoring them in a way that does not contradict the independence of the judiciary and fair trials, including allowing [the public] to attend court hearings (Jordan to Saudi Arabia)