

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.1</b></p> <p><b>Ratify the First Optional Protocol to the ICCPR (Estonia)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK Government remains to be convinced of the added practical value to people in the United Kingdom of rights of individual petition to the United Nations. The United Nations committees that consider petitions are not courts, and they cannot award damages or produce a legal ruling on the meaning of the law, whereas the United Kingdom has strong and effective laws under which individuals may seek remedies in the courts or in tribunals if they feel that their rights have been breached. In 2004, the Government acceded to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (the CEDAW OP). One of the reasons for doing so was to enable consideration, on a more empirical basis, of the merits of the right of individual petition more generally. In 2009, the UK ratified the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities. To date the UK's experience under both protocols has not provided sufficient empirical evidence to decide either way on the value of other individual complaint mechanisms. We will need further evidence, over a longer period, to establish what the practical benefits are.</p>
<p><b>110.2</b></p> <p><b>Accept the full implementation of the provisions of the CAT and the ICCRP in overseas territories under its control. (Islamic republic of Iran)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government's longstanding practice in this area is to encourage the Territories to agree to the extension of UN human rights conventions that the UK has ratified, but to extend these to the Territories only when they are ready to apply them. The Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT) has already been extended to all permanently inhabited Overseas Territories. The International Covenant on Civil and Political Rights (ICCPR) has been extended to all except Anguilla but the Government of Anguilla is preparing for the extension of this Covenant.</p>

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<p><b>110.3</b></p> <p><b>Recognize the extraterritorial application of the CAT, according to its jurisprudence. (Nicaragua)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The Committee Against Torture is not a judicial body and consequently neither its Reports or General Comments have the status of jurisprudence. The UK takes an Article by Article approach to the Convention Against Torture, given that there is no single jurisdictional provision.</p>
<p><b>110.4</b></p> <p><b>Lift multiple reservations to international human rights treaties, including the ICESCR and the Optional Protocols to the CRC (Belarus)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>The United Kingdom Government regularly reviews its reservations against its International Human Rights Treaties, to ensure they continue to remain relevant. The UK's final two reservations to the UN Convention on the Rights of the Child (article 22 and 37(c)) were formally removed in 2008.</p>
<p><b>110.5</b></p> <p><b>Consider an early ratification of the newest international human right instrument – the third Optional Protocol to the Convention on the Rights of the Child on a communication procedure (Slovakia)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is considering the merits of the new Optional Protocol for the whole of the UK, taking account of the views of the Devolved Administrations and in light of how it will be applied in practice. The Government will consider signing the Optional Protocol when it has fully evaluated its merits for the UK.</p>

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<p><b>110.6</b></p> <p><b>Consider withdrawing its declaration to Article 1 of the Optional Protocol to the Convention on the Right of the Child on Involvement of Children in Armed Conflict, and raise the armed forces minimum recruitment age to 18 (Slovenia)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK's policy is to take all feasible measures to ensure that members of its armed forces who have not attained the age of 18 years, do not take part in hostilities. In the event of a genuine and unavoidable military need to deploy a unit or ship which includes young people under the age of 18 to an area in which hostilities are taking place, those young people would not be deployed and would be removed to a place of safety unless to do so would undermine the operational effectiveness of their ship or unit and/or put the safety of other personnel at risk.</p> <p>The minimum age for entry into the UK Armed Forces reflects the normal school leaving age of 16. Evidence of age is required, and formal written consent is required from the parents or guardians of those under 18. There is no compulsory recruitment into the UK Armed Forces, and personnel under 18 have a statutory right to discharge from the Armed Forces if they wish to leave. The UK does not consider this inconsistent with its obligations under the Optional Protocol, to which it remains firmly committed.</p> <p>The UK armed forces take their responsibilities towards all of their people extremely seriously, and are very well aware of the particular welfare needs of Service personnel, including recruits and trainees, regardless of age. The Armed Forces Covenant makes clear that special account must be taken of the needs of those under the age of 18. Commanding Officers are provided with clear policy on under-18s with respect to the law, recruitment age, deployment on operations, alcohol, smoking, gambling, adventurous training, health &amp; safety at work, the use of weapons, armed guard duty, vulnerable recruits, levels of supervision in the training environment, the right to leave the armed forces, welfare, mentoring, contact with parents and discipline.</p>
<p><b>110.7</b></p> <p><b>Withdraw its reservations to the CRC concerning detained and asylum</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p>

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<p>seeking children (Islamic republic of Iran)</p>	<p>The UK Government formally removed its reservation to the UN Convention on the Rights of the Child in relation to refugee children (article 22) in November 2008.</p>
<p>110.8</p> <p>Withdraw its interpretive statement on the OP to the CRC on the involvement of children in armed conflict</p> <p>(Russian Federation)</p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.106</i></p>
<p>110.9</p> <p>Incorporate fully, as a matter of urgency, the principles and provisions of the CRC into domestic law (Slovakia)</p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK Government is fully committed to the promotion and implementation of the UN Convention on the Rights of the Child. The Convention does not itself require states to incorporate its provisions directly into domestic law. The UK's approach to ensuring it meets its obligations under the UNCRC is, accordingly, to pursue implementation by means of a combination of legislative and policy initiatives, in keeping with general practice in the UK.</p> <p>In December 2010 the UK Government gave a commitment to Parliament to give due consideration to the UNCRC when making new policy and legislation. It is also introducing new legislation to strengthen the role of the Children's Commissioner for England, so that it is able to promote and protect the rights of children in line with the UNCRC. The new legislation also includes giving the Commissioner new powers to carry out impact assessments of new policies and legislation on children's rights. Legislation is also in preparation in Scotland with a view to strengthening support for children and placing their rights at the heart of Scotland's devolved policies. In Wales, there is difference in approach. In 2011 the Welsh Government introduced legislation which places a duty on Welsh Ministers to have due regard to the UNCRC and its optional protocols when making decisions about proposed new policies and or legislation. Then from May 2014 whenever they use any of their legal powers or duties.</p>

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<p><b>110.10</b></p> <p><b>Take all measures necessary to fully implement the CRC (France)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is fully committed to the promotion and implementation of the UN Convention on the Rights of the Child and ensures that its policies and legislation complies with it. The education, health and wellbeing of children are vital for our society and the principles and standards defined in the Convention are an important framework for our thinking.</p> <p><i>Wales</i></p> <p>In Wales, the Rights of Children and Young Persons (Wales) Measure places a duty on Welsh Ministers to have due regard to the CRC when reviewing their policies and when making decisions about proposed policies or legislation. From 1st May 2012 Welsh ministers have a duty to have regard to the CRC whenever they use any of their legal powers or duties.</p>
<p><b>110.11</b></p> <p><b>Consider withdrawing its interpretative declaration on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, as recommended by the Committee on Racial Discrimination as well as take measures aimed at eliminating racial discrimination, incitement of</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK maintains its interpretation of Article 4 which it stated on signature to the Convention in 1966. The UK has a long tradition of freedom of speech which allows individuals to hold and express views which may well be contrary to those of the majority of the population, and which many may find distasteful or even offensive. This may include material produced by avowedly racist groups and successive Governments have held the view that individuals have the right to express such views so long as they are not expressed violently or do not incite violence or hatred against others, or do not otherwise breach the criminal law. The UK believes that this strikes the right balance between maintaining the right to freedom of speech and protecting individuals from violence and hatred.</p>

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racial hatred (Algeria)	
<p>110.12</p> <p><b>Withdraw its reservations and interpretative statement with respect to Article 4 of the ICERD (Islamic republic of Iran)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See recommendation 110.11</i></p>
<p>110.13</p> <p><b>Remove reservations to the CEDAW (Greece)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK Government reviewed its current reservations to the Convention on the Elimination of All Forms of Discrimination Against Women ahead of submission of its 7th Periodic Report in June 2011 and concluded that the remaining reservations remained relevant and should not be withdrawn. The UK will continue to keep its reservations to the Convention under regular review with the view to lifting or amending them wherever possible.</p>
<p>110.14</p> <p><b>Consider the possibility of ratifying the international Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Chile)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK has not signed or ratified the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. No EU Member State or major industrialised developed state has ratified the Convention. Within the UK, the rights of migrant workers are already protected in domestic legislation, including under the Human Rights Act 1998. We believe we have struck the right balance between the need for a firm, fair and effective immigration system and protection of the interests and rights of migrant workers and their families.</p>
110.15	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p>

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Consider acceding to the ICRMW (Ecuador)	<i>See response to recommendation 110.14</i>
<p>110.16</p> <p>Consider the possibility of ratifying the ICRMW and ILO Convention No. 143 on Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Honduras)</p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.14.</i> In addition the UK has no plans to ratify ILO Convention 143, which it believes is in contrary to its immigration policy. For example, Article 8 of the Convention is contrary to UK policy in respect of those admitted for the purpose of work and then become economically inactive.</p>
<p>110.17</p> <p>Protect the children and families of migrants and refugees, and accede to the ICRMW (Morocco)</p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.14</i></p>
<p>110.18</p> <p>Ratify the ICRMW/ Accede to the ICRMW (Egypt, Guatemala, Sudan)/ (Uruguay, Islamic Republic of Iran)</p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.14</i></p>

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<p>110.19</p> <p>In conformity with article 77 of the ICRMW, recognize the competence of the Committee to receive and consider communications which allege violations of individual rights recognized by this Convention (Uruguay)</p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK is not party to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (see response to recommendation 110.14) and cannot therefore implement this recommendation.</p>
<p>110.20</p> <p>Establish a timetable for signature and ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, and for full recognition of the competence of the Committee on Enforced Disappearance (France)</p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK does not normally sign a treaty unless we are confident that our own legislation is fully compliant with its requirements. We have carried out an initial assessment of the practical implications of implementing the Convention, and identified areas of domestic law and operational policy that would need change if the UK is to comply with Convention requirements. The UK is keen to move towards signature and ratification of the Convention but the size of this undertaking will require considerable resources and parliamentary time. However, the UK is committed to making further progress on ratification by the time of its mid-term review in 2014.</p>
<p>110.21</p> <p>Work on accession to the Convention for the Protection of All Persons from Enforced Disappearance (Iraq)</p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See response to 110.20</i></p>



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<p><b>110.22</b> <b>Accelerate its current efforts to sign and ratify the CED (Japan)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom. <i>See response to 110.20</i></p>
<p><b>110.23</b> <b>Ratify the CED /Accede to the CED (Uruguay)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom. <i>See response to 110.20</i></p>
<p><b>110.24</b> <b>Continue efforts to ratify the CED (Argentina)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom. <i>See response to 110.20</i></p>
<p><b>110.25</b> <b>In conformity with articles 31 and 32 of the CED, recognize the competence of the respective monitoring body to receive and consider communications from individuals and States that allege that they have been victims of violations of the provisions of the Convention (Uruguay)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom. The UK is not party to the Convention on Enforced Disappearance (see response to recommendation 110.20) and cannot therefore implement this recommendation.</p>

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<p>110.26</p> <p><b>Ratify the CED, The first OP- ICCPR and OP-ICESCR (Spain)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See response to recommendations 110.1 and 110.20</i></p>
<p>110.27</p> <p><b>Ratify ILO Convention No. 189 on Domestic Workers (Uruguay)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK Government has publically stated in an explanatory memorandum laid before Parliament on 27th of April 2012 that whilst the UK supports the principles behind the Domestic Workers Convention by already providing comprehensive employment and social protections to domestic workers, it does not think that ratification of the Convention is appropriate for the UK because of the burdens that implementing the health and safety provisions would impose on UK business and citizens.</p>
<p>110.28</p> <p><b>Consider ratifying ILO Convention 189 on Decent Work for Domestic Workers and the ICRMW (Phillippines)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See response to recommendations 110.14 and 110.27</i></p>
<p>110.29</p> <p><b>Sign and ratify the Council of Europe Convention on Preventing and Combatting Violence against Woman and</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK signed CAHVIO on 8<sup>th</sup> June 2012. The UK already has some of the most robust protections in the world</p>

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<p><b>Domestic Violence (France)</b></p>	<p>against violence towards women and we already comply with the vast majority of the articles of CAHVIO. We do need to ensure that all articles are fully met before ratification. We are currently working within Government and with the Devolved Administrations to establish the best way to do this.</p>
<p><b>110.30</b></p> <p><b>Consider the effect and continued relevance of its remaining reservations to the Convention on the Rights of Persons with Disabilities, and consider the possibility of withdrawing them (New Zealand)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK's reservations under the CRPD are subject to periodic review. The UK last conducted a review in 2011, and decided that certain reservations remain relevant and necessary. However, as the UK's withdrawal of the reservation in respect of Article 12 shows, where reservations are no longer necessary we will remove them.</p>
<p><b>110.31</b></p> <p><b>Withdraw reservations made upon the ratification of the CRPD (Hungary)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK's reservations under the CRPD are subject to periodic review. The UK last conducted a review in 2011, and decided that certain reservations remain relevant and necessary. However, as the UK's withdrawal of the reservation in respect of Article 12 shows, where reservations are no longer necessary we will remove them.</p>
<p><b>110.32</b></p> <p><b>Continue to ensure that human rights principles are integrated in domestic laws (Qatar)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK already ensures rights and fundamental freedoms in the European Convention on Human Rights are and continue to be enshrined in our domestic laws. Section 19 of the Human Rights Act (Statements of Compatibility) requires a Government Minister introducing legislation to Parliament to make a statement either</p>

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	<p>that in his view the provisions of the legislation are compatible with the Convention rights or that if he is unable to make such a statement he nevertheless wishes Parliament to proceed with the legislation. This approach ensures that human rights principles are central to the consideration of domestic laws.</p> <p>In addition, on 18th March 2011, in line with a commitment made in the Coalition Government's <i>Programme for Government</i>, the Government announced the establishment of an independent Commission to look afresh at the way rights are protected in the UK.</p> <p>The Commission's terms of reference are to investigate the creation of a UK Bill of Rights that incorporates and builds on all our obligations under the European Convention on Human Rights, to ensure that these rights continue to be enshrined in UK law, and protects and extends our liberties. The objective is to examine the operation and implementation of these obligations, and consider ways to promote a better understanding of the true scope of these obligations and liberties. The Commission has been asked to report by the end of 2012.</p>
<p><b>110.33</b></p> <p><b>Consider that any person detained by its armed forces is under its jurisdiction, and respect its obligations concerning the human rights of such individuals</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>UK personnel on military operations overseas are subject to the law of England and Wales wherever in the world they operate and are required to act in accordance with applicable human rights law and the law of armed conflict. However, our position is consistent with that of the European Court of Human Rights as set out in <i>Al Skeini</i>, that:</p> <p><i>'In each case the question whether exceptional circumstances exist which require and justify a finding by the court that the state was exercising jurisdiction extra territorially must be determined with reference to the particular facts'</i></p>

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<p><b>110.34</b></p> <p><b>Introduce law that will criminalize use of children in military actions (Uzbekistan)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>As stated in the response to recommendations 110.6 and 110.8, the UK is committed to the Convention on the Rights of the Child, including the Optional Protocol on Children in Armed Conflict. Furthermore existing law makes it an offence to conscript or enlist children under the age of fifteen years into the national armed forces or use them to participate actively in hostilities. The UK is satisfied existing law and policy addresses the concerns which might underpin this recommendation.</p>
<p><b>110.35</b></p> <p><b>Prohibit under the law the sale of weapons to the countries where children have been or are used in military actions (Uzbekistan)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>Under UK export control law the export of arms to all destinations is prohibited, unless authorised by a licence issued by the Secretary of State for Business Innovation and Skills. Applications for licences are assessed against relevant policies, primarily the Consolidated EU and National Arms Export Licensing Criteria. The assessment against the Criteria is made for applications for export licences to any country and takes account of a range of risks, including the risk in internal repression which includes considerations of whether the arms might be used by or against children, or that children have been, or are likely to be, used in military actions in that country or region. The UK will not issue an export licence if there is a clear risk that the equipment might be used for internal repression which includes assessment of the likelihood of the exports being used to commit serious violations of human rights, or of international humanitarian law.</p>
<p><b>110.36</b></p> <p><b>Adopt measures necessary to ensure the independence of the Commissioners in</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p>

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<p><b>accordance with the Paris Principles (Costa Rica)</b></p>	<p>The UK Government is committed to having a strong and effective 'A'-rated National Human Rights Institution. The UK Government is liaising closely with the International Co-ordinating Committee and the Office of the High Commissioner for Human Rights on the implementation of our reforms, which we believe will support the Commission, ensuring its independence and safeguarding its 'A'-rated status. This is a high priority for the UK Government. The Government also favours a strong independent Commissioner to represent the views and interests of children and to protect their rights. The proposed legislation for England set out in recommendation 110.38 will enhance the Commissioner's role.</p>
<p><b>110.37</b></p> <p><b>Ensure that the reform process of the Equality and Human Rights Commission does not affect its independence in conformity with the Paris Principles (Morocco)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.36</i></p>
<p><b>110.38</b></p> <p><b>Introduce legislation at the earliest opportunity to give the Children's Commissioner for England an explicit role of promoting and protecting children's rights in line with the CRC and to make the Commissioner more independent from Government and more</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is introducing legislation which will give the Children's Commissioner for England an explicit role to promote and protect children's rights and to make the commissioner more independent. The proposals are currently going through pre-legislative scrutiny with the aim of introducing a Bill early in 2013.</p>

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accountable to Parliament (Australia)	
<p>110.39</p> <p>Develop appropriate policies and targeted measures in ensuring genuine equality in accordance with the recommendation of the Committee on Economic, Social and Cultural Rights (Uzbekistan)</p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK will continue to develop policies and measures to ensure equal enjoyment of economic, social and cultural rights.</p>
<p>110.40</p> <p>Continue efforts in the promotion of women rights (Indonesia)</p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government's overarching approach to advancing gender equality and our determination to eliminate discrimination is set out in the cross-Government Strategy <i>'Building a Fairer Britain'</i> published in December 2010. Since publication of the strategy, we are implementing a number of initiatives promoting gender equality which includes:</p> <ul style="list-style-type: none"> <li>• Working with the new Women's Business Council to develop a firm programme of action;</li> <li>• Increasing the numbers of companies and voluntary sector organisations reporting on their action to improve gender equality in the workplace.</li> <li>• Rolling out new programmes to encourage business mentoring with 15,000 new mentors and to support rural women entrepreneurs with a new fund of £2m over 3 years;</li> <li>• Working on plans for flexible working and shared parental leave, and take forward our proposals on equal pay;</li> <li>• Working to increase the momentum on implementing the recommendations of Lord Davies' review on women on FTSE Boards;</li> <li>• Ensuring that women's businesses have fair access to finance.</li> </ul>

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	<p><i>Scotland</i></p> <p>The Scottish Government continues to prioritise the work to tackle gender inequality through the allocation of funding to address its consequences, such as the gender pay gap and occupational segregation. Most recently, in recognition of the disproportionate impact on women of the recession, the First Minister announced that a Women's Employment Summit, jointly organised with the Scottish Trade Union Congress, would be held in September this year and will investigate what more can be done to improve the position of women in the workplace.</p> <p><i>Wales</i></p> <p>The Welsh Government is committed to the promotion of women's rights in Wales. Funding for an all Wales Women's Network was awarded in November 2011. The role of this network is to ensure that the issues, challenges and priorities of women in Wales are heard by Government and are then used to shape the policy agenda.</p>
<p><b>110.41</b></p> <p><b>Set out a clear pathway to meet the goal of ending child poverty in the UK by 2020 as stated in the Coalition's programme for government (Norway)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government published its first strategy to meet the goal of ending Child Poverty in the UK by 2020 in April 2011, as required by the Child Poverty Act. The strategy is being implemented through Welfare Reform and the introduction of Universal Credit; the introduction of free education for all 3 and 4 year olds and for 40% of all 2-year olds; the establishment of the Social Mobility and Child Poverty Commission; and the introduction of the Pupil Premium, among other measures.</p>



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	<p><i>Scotland</i></p> <p>In 2011, the Scottish Government published a Child Poverty Strategy for Scotland which focuses on early intervention and is linked to related Government strategies on reducing poverty and health inequalities as well as early years education. The Scottish Government reports annually on progress towards the four UK child poverty targets and on actions under the main aims of the Strategy: maximising household resources and improving children's wellbeing and life chances.</p> <p><i>Wales</i></p> <p>The Welsh Government remains committed to the aim of eradicating child poverty by 2020; to ameliorating the impacts of poverty; and to tackling the long term causes of poverty.</p> <p>The Welsh Government's <i>Programme for Government</i> sets out the key actions it is taking both to reduce poverty and to reduce the likelihood that people will become poor.</p> <p>The Tackling-Poverty Action Plan published in June 2012 establishes a system of collaborative working across the Welsh Government as well as its partners to tackle poverty in Wales. The Plan will provide regular updates and contain details of measurable outcomes to show progress.</p>
<p><b>110.42</b></p> <p><b>Continue efforts in enhancing the welfare of all segments of society and protect their rights (Nepal)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is committed to enhancing the welfare of all segments of society through a number of initiatives. For example, the Government's cross-Government Equality Strategy '<i>Building a Fairer Britain</i>', published in December 2010 which sets out the Government's commitment to tackling the barriers to equal opportunities and social mobility. In addition, the UK has in place extensive equalities and human rights</p>

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	legislation, for example the Equality Act 2010 and the Human Rights Act 1998.
<p><b>110.43</b></p> <p><b>Intensify its efforts to promote multiculturalism at all levels (Pakistan)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>Creating the Conditions for Integration</i>, published in February 2012, sets out the UK Government's approach to integrated communities based around common ground, responsibility, empowerment and participation, social mobility and consistent challenge to extremism and intolerance. This new approach marks a move away from previous policies which have sometimes encouraged difference at the expense of what we share in common. The Government's new approach to integration therefore focuses on celebrating what we have in common and promoting the shared values and shared commitments which underpin and strengthen our national identity.</p> <p>The Government is supporting a number of locally led projects which encourage links and dialogue between people from different faith and cultural backgrounds, including 'A Year of Service,' a programme which encourages faith communities to come together to serve the wider community; and a nationwide community music day which offers the opportunity for communities to come together through musical performances.</p> <p><i>Scotland</i></p> <p>The Scottish Government has taken a range of measures to deliver race equality and better outcomes for Scotland's minority ethnic and faith communities. The £20 million of funding provided since 2008 to organisations to organisations and projects working on the ground supports this, along with the strong relations the Scottish Government have developed with a range of communities and intermediary bodies.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p><i>Wales</i></p> <p>The Welsh Government is committed to promoting race equality and has established the Wales Race Forum. The Forum will help the Welsh Government to understand the key issues and barriers within BME communities and will enable the Welsh Government to engage on an ongoing basis rather than just consulting on specific issues.</p>
<p><b>110.44</b></p> <p><b>Take further measures for the promotion and protection of human rights, including those of migrants (Nepal)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>The UK accepts the recommendation to protect the rights of migrants and has in place extensive human rights and equalities legislation (for example, the Human Rights Act 1998 and the Equality Act 2010) which affords protection of the rights of those on its territory. In addition, migrants who are legally working on the territory of the United Kingdom enjoy the full protection of UK employment law and its policies on the admission of migrant workers are designed to ensure that those sponsoring the admission of such workers comply with their responsibilities under employment law. The UK also has in place regulatory regimes, such as those administered by the Employment Agencies Standards Inspectorate and the Gangmasters Licensing Authority which are designed to protect the interests of vulnerable workers, including those come from overseas. The relevant UK authorities do make information available to migrants concerning their rights as well as their responsibilities. However, the UK Government does not accept that it needs to take further measures, including legislation, in this area.</p> <p><i>Scotland</i></p> <p>The Scottish Government works closely with, and provides funding to, the Scottish Refugee Council, a strategic partner in this area, to ensure those seeking asylum and refugee protection in Scotland are welcomed and</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>supported.</p> <p><i>Wales</i></p> <p>The Welsh Government has responsibility to migrants resident in Wales under its health, education, social services functions and through its community cohesion agenda. The Welsh Government funds The Wales Migrant Partnership to ensure a more strategic, co-ordinated and effective approach is taken to supporting the successful inclusion of migrants, their families and communities in all aspects of Welsh society.</p> <p><i>Also see recommendations 110.108 and 110.110</i></p>
<p><b>110.45</b></p> <p><b>Continue to support overseas territories to abide with basic human rights protection for all (Trinidad and Tobago)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK and the Territories share a common agenda to promote respect for human rights and tackle discrimination. The UK Government expects the Territories to abide by the same basic standards of human rights as the UK. Territory Governments, with support from the UK, are doing a great deal of work to look after vulnerable members of society and to tackle discrimination.</p>
<p><b>110.46</b></p> <p><b>Adopt and implement a concrete plan of action realizing recommendations of treaty bodies and UN human rights mechanisms, and international human rights obligations (Islamic</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government believes consultation with civil society is a vital part of the Universal Periodic Review (UPR) process and other human rights treaty mechanisms. The Ministry of Justice, as the department with responsibility for domestic human rights policy, is consulting across the UK Government, with the Devolved Administrations and civil society to determine the best approach to developing a framework for monitoring</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>Republic of Iran)</b></p>	<p>implementation of the UPR recommendations that enjoy the support of the UK and observations from treaty monitoring bodies the UK is party to.</p> <p><i>Scotland</i></p> <p>The Scottish Government has had initial discussions with the Scottish Human Rights Commission regarding their call for a Scottish Human Rights Action Plan. The Scottish Government is supportive of an action plan in principle, and are considering further how they might engage further with this initiative.</p>
<p><b>110.47</b></p> <p><b>Improve the response rate of the UK to the communications from the Human Rights Council mechanisms (Hungary)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK cooperates fully with Special Procedures of the Human Rights Council, and encourages others to do likewise. Our response rate to communications is already positive, but we are always willing to look at ways to improve. For example, one step we are looking into is keeping a log of all communications received so that we can accurately report on our response rate at our mid-term review.</p>
<p><b>110.48</b></p> <p><b>On the basis of the UK's commitment to the rule of law, comply with the rulings of the European Court of Human Rights on the cases concerning the United Kingdom, as well as promote</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK is committed to the European Convention on Human Rights and to honouring its obligations under the Convention. As underlined in the latest annual report published by the Committee of Ministers of the Council of Europe covering 2011,<sup>1</sup> the UK's overall record on the implementation of judgments continues to be a strong one. At 31 December 2011, according to the statistics in the annual report, the UK was responsible for a</p>

<sup>1</sup> The Committee of Ministers 5<sup>th</sup> annual report *Supervision of the execution of judgments of the European Court of Human Rights*, published in April 2012 and covering the year 2011: [http://www.coe.int/t/dghl/monitoring/execution/Documents/Publications\\_en.asp](http://www.coe.int/t/dghl/monitoring/execution/Documents/Publications_en.asp)

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>the participation and cooperation of the European Union and its Member States with the Court (Mexico)</b></p>	<p>relatively low number of pending cases before the Committee of Ministers (40 cases), representing 0.37% of the overall total.</p> <p>Generally, the UK's approach to the implementation of judgments has been timely and effective and the action taken to address issues highlighted by the ECtHR has usually been shown to be effective. At the same time, the UK recognises there will always be some particularly sensitive and difficult areas in which progress towards implementation will not be as rapid as in other cases. This is a consequence of the complexity of the issues raised in such cases</p> <p>During its Chairmanship of the Council of Europe from November 2011 to May 2012, the UK took an active lead to deliver a substantial package of reform to the Court, set out in the Brighton Declaration. The net effect of the measures in the Declaration should be that more cases are resolved at the national level, which should mean that fewer cases are considered by the Court. Fewer cases should mean that the Court is able to focus more on the important cases and do so more quickly.</p> <p>This work should promote the participation and cooperation of all of the High Contracting Parties to the European Convention on Human Rights with the Court and not just be limited to the European Union Member States.</p>
<p><b>110.49</b></p> <p><b>Review national legislation to ensure equality and non-discrimination (Egypt)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>This recommendation has already been implemented. Following a thorough review, the Equality Act 2010 recently replaced all previous anti-discrimination laws with a single Act. The Act also strengthened protection in some situations. The Act covers nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>The Equality Act prohibits direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person. It prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).</p> <p>The Act also contains the public sector Equality Duty which requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.</p> <p><i>Wales</i></p> <p>The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011<sup>2</sup> require appropriate arrangements to be put in place for assessing the equality impact of policies and practices. As with all public authorities in Wales, the Welsh Government is required to carry out equality impact assessments across all of the protected characteristics. Part of this is about assessing the impact that policies and actions may have on the people of Wales.</p>
<p><b>110.50</b></p> <p><b>Continue stepping up its efforts in tackling discrimination and inequality for all its citizens (Indonesia)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government's vision for equality is set out in the cross Government Equality Strategy <i>'Building a Fairer</i></p>

<sup>2</sup> The National Assembly for Wales has legislative competence over equal opportunities in respect of public bodies exercising devolved functions in Wales. Under the Equality Act 2010 Welsh Ministers also have regulation making powers to impose specific public sector equality duties on public authorities in Wales.

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p><i>Britain'</i> published in December 2010. The strategy sets out the government's commitment to tackling discrimination and removing the barriers to equal opportunities and social mobility. Current priorities include: maximising women's contribution; changing culture and removing barriers; and promoting simplification, reform and support.</p> <p><i>Wales</i></p> <p>The Welsh Government Strategic Equality Plan was published in 2012<sup>3</sup> It has outcome-focused equality objectives which put the spotlight on the practical differences we need to make to people's lives. Objectives are based on the robust evidence that Welsh public bodies (including the Welsh Government itself) have gathered, and on engagement with organisations and individuals. Unlike previous equality duties, public authorities need to say why an action needs to be taken, the desired outcome, what is going to be delivered, by when and how it will be achieved.</p>
<p><b>110.51</b></p> <p><b>Continue efforts to combat discrimination on any ground and violence against women and girls (Cuba)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK submitted its seventh Periodic Report to the UN Convention of the Elimination of all forms of Discrimination against Women (CEDAW) in June 2011. The Violence Against Women and Girls Action Plan also specifically commits the UK to strongly support the ratification of CEDAW and to lobby for the full implementation of the Convention.</p> <p><i>Scotland</i></p> <p>The Scottish Government has been recognised internationally for the focus it has given to addressing violence against women. The Scottish Government's violence against women strategy '<i>Safer Lives, Changed Lives</i>' is currently being refreshed to give a sharper focus on the prevention and early intervention, data and outcome</p>

<sup>3</sup> <http://wales.gov.uk/topics/equality/equalityactatwork/?jsessionid=jZt4QyWhHjGJz9SY2M68QhLdJJQjPGN2v8schLjQJRKgnjvs3w2Y!-1144266743?lang=en>



UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>measurement and the impact on minority ethnic women.</p> <p><i>Wales</i></p> <p>The Welsh Government wants Wales to be a self confident, prosperous, healthy nation and society which is fair to all. The Welsh Government has made it clear that domestic abuse, sexual harassment, rape, forced marriage, trafficking, honour crimes and female genital mutilation are completely unacceptable. The Welsh Government's approach is set out in 'Right to be Safe' – its strategy for tackling violence against women (<i>see response to recommendation 110.69</i>)</p>
<p><b>110.52</b></p> <p><b>Give priority attention to the questions of gender equality and discrimination against women (Uzbekistan)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.40</i></p>
<p><b>110.53</b></p> <p><b>Take effective measure to eliminate discrimination on the grounds of race, religion and nationality and to guarantee the rights of Muslims, Roma people and migrant workers (China)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The Equality Act 2010 provides extensive protection from discrimination, harassment and victimisation because of a person's race (which includes their colour, nationality or ethnic or national origins) and religion or belief (which includes a lack of religion or belief), as well as their age, disability, gender reassignment, marriage or civil partnership status, pregnancy or maternity, sex, and sexual orientation. The Act also includes a public sector Equality Duty which requires public bodies to have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations between different groups when carrying out their activities. This legislation protects all individuals, including Muslims, Roma and migrants.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p><i>Scotland</i></p> <p><i>See response to recommendation 110.40</i></p> <p><i>Wales</i></p> <p>The Welsh Government has numerous measures in place to eliminate discrimination and ensure that continued dialogue is in place through mechanisms such as specific equality duties (under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011)<sup>4</sup>, the Faith Communities Forum, the Race Forum, and our Community Cohesion Strategy.</p>
<p><b>110.54</b></p> <p><b>Take further steps to address ethnic profiling in practice (Greece)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The Police and Criminal Evidence Act (PACE) Code of Practice A makes clear that powers to stop and search must be used fairly, responsibly with respect for people being searched and without unlawful discrimination against any person based on the grounds of the 'protected characteristics.' Under Code A, police forces must monitor and supervise the use of stop and search powers – any apparent disproportionate use of the powers in relation to specific sections of the community should be identified and investigated.</p> <p>Additionally, the Government is working closely with the Association of Chief Police Officers and the Equality and Human Rights Commission to identify, examine and address any disproportionality.</p>

<sup>4</sup> The National Assembly for Wales has legislative competence over equal opportunities in respect of public bodies exercising devolved functions in Wales. Under the Equality Act 2010 Welsh Ministers also have regulation making powers to impose specific public sector equality duties on public authorities in Wales.

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.55</b></p> <p>Revise the policies that involve racial and ethnic profiling such as “stop and search” practice (Brazil)</p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.54</i></p>
<p><b>110.56</b></p> <p>Investigate allegations that stop and search orders disproportionately fall on persons belonging to ethnic, religious and other minorities and introduce adequate safeguards in this regard (Austria)</p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p><i>See response to recommendation 110.54.</i> Under code A, police forces must monitor and supervise the use of stop and search powers – any apparent disproportionate use of the powers in relation to specific sections of the community should be identified and investigated. In addition, any individual who feels aggrieved at the way that the police have used their powers, including stop and search powers, can complain to the Independent Police Complaints Commission, who are entirely independent of the police service.</p>
<p><b>110.57</b></p> <p>That the law enforcement authorities put an end to stop and search practices based on religious and ethnic profiling (Pakistan)</p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.54</i></p>
<p><b>110.58</b></p> <p>Put an end to the use of religious profiling in combating terrorism by inserting legal safeguards against abuse and the</p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>The UK rejects the suggestion in the recommendation of deliberate targeting of certain religious groups. The UK has robust anti-discrimination laws and the statutory guidance for the police makes clear that a person's race,</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>deliberate targeting of certain religious groups (Malaysia)</b></p>	<p>religion or belief cannot be considered as reasonable grounds for suspicion of the person being a terrorist and should never be considered as a reason to stop and search or arrest a person.</p>
<p><b>110.59</b></p> <p><b>Take all appropriate measures to combat prejudices and negative stereotypes, which may result in racial discrimination or incitement to racial hatred (Turkey)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is committed to ensuring that everyone has the freedom to live their lives free from fear of targeted hostility or harassment on the grounds of their race or religion. It has made clear that this type of behaviour is unacceptable in a civilised society, and that those who commit these offences will be punished.</p> <p>In March, the Government published <i>Challenge it, Report it, Stop it</i>, setting out its plan to tackle hate crime (in England) over the next three years. The plan brings together the work of a wide range of Departments and agencies to prevent hate crime happening in the first place; increase reporting and victims' access to support; and improve the operational response to hate crimes.</p> <p>The UK government is already supporting a number of local and national projects which seek to combat prejudice and negative stereotypes, including working with the Society of Editors to develop a guide for moderators of on-line content. The Government also supports 'True Vision', a police-led online facility and information resource launched February 2011, which also allows victims of hate crime to report incidents online. The UK Government is also supporting the work of Faith Matters' Measuring anti-Muslim Attacks (MAMA) project.</p> <p><i>Wales</i></p> <p>The Welsh Government's Community Cohesion Strategy<sup>5</sup> is focussed on the need to create resilient and inclusive communities in areas including housing, communication, learning, equalities and social inclusion and tackling extremism.</p>

<sup>5</sup> <http://wales.gov.uk/topics/housingandcommunity/communitycohesion/publications/strategy/?lang=en>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.60</b></p> <p><b>Implement ECRI's recommendation to continue to monitor hate crimes and to work with the community to increase understanding of the impact of such offences, and to pursue efforts to improve the police gathering of evidence of racist motivations (Turkey)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is committed to addressing the under-reporting of hate crime, and working with communities to build victim confidence to come forward and report incidents. To demonstrate this, a specific commitment to improve the recording of all hate crimes was included in the Coalition Programme for Government and a further action to develop a better understanding of hate crime is a key part of the Government's action plan.</p> <p>All criminal justice agencies use a common definition of hate crime and monitor five specific strands, which include disability, gender-identity, race, religion or belief and sexual orientation. The police also pull together hate crime information and intelligence to ensure that any emerging trends of hostility are detected early. The intelligence from regional police forces is fed into a National Community Tension Team, who produce data returns and analytical information to provide the police with threat assessments.</p> <p>We now have a growing body of published official data on the prevalence of hate crime in the UK, including from the police and other criminal justice agencies, and two national household survey's, one focusing on crime and the other on disability. Not only does this data gives us a better picture of the scale of the problem, it also highlights the impact that being a victim of hate crime can have on a person's wellbeing.</p> <p>The UK Government works closely with an Independent Advisory Group who provide expert advice on hate crime and hold the Government to account against its commitments. The Group includes representatives covering each of the five monitored 'strands', as well as people who have been victims of hate crime. The Government also supports a number of cross-Government Working Groups that focus on tackling specific strands of hate crime. These include community representatives who contribute to and have oversight of initiatives to tackle hate crime.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.61</b></p> <p><b>Put in practice a national strategy to eliminate discrimination against caste, through the immediate adoption of the Equality Law of 2010 that prohibits such discrimination, in conformity with its international human rights obligations, including CERD's General Recommendation 29 and recommendations of the Special Rapporteur on Contemporary Forms of Racism (Nicaragua)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK Government are currently considering the evidence available to them, such as the report by the National Institute for Economic and Social Research (NIESR), together with the correspondence and representations put forward by both those who want the Government to legislate and those who are opposed to such legislation being introduced before reaching any conclusion on whether or not to prohibit caste discrimination as a specific aspect of race discrimination under the Equality Act 2010.</p>
<p><b>110.62</b></p> <p><b>Adopt Government policies and legislation to address the pay gap between men and women (Sudan)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK government favours a non-legislative approach to tackling this issue. On 14 September 2011 we launched a new voluntary framework for gender equality reporting with Eversheds, BT, Tesco and the CBI. The "Think, Act, Report" framework asks private and voluntary sector employers to help tackle the pay gap through greater transparency on pay and other issues.</p> <p><i>Scotland</i></p> <p><i>See response to recommendation 110.40</i></p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p><i>Wales</i></p> <p>Under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, the Wales Specific Equality Duties contain a separate duty in respect of gender pay difference. Public authorities that identify a gender pay difference must either set a gender pay equality objective to address the cause or causes of the pay difference or explain publicly, why they have not done so. They must put this information in an action plan along with any policy or policies that relates to the need to address gender pay difference.</p>
<p><b>110.63</b></p> <p><b>Consider policies and legal provisions to encourage equal pay practices (India)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.62 and recommendation 110.40</i></p> <p><i>Scotland</i></p> <p><i>See response to recommendation 110.40</i></p> <p><i>Wales</i></p> <p><i>See response to recommendation 110.62</i></p>
<p><b>110.64</b></p> <p><b>Take measures to address the existing wage gap between men and women (Algeria)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.62 and recommendation 110.40</i></p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.65</b></p> <p><b>Revitalize endeavours intended for eradication of the wage gap between men and women that has reportedly stalled (Ukraine)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.62 and recommendation 110.40</i></p> <p><i>Scotland</i></p> <p><i>See response to recommendation 110.40</i></p> <p><i>Wales</i></p> <p><i>See response to recommendation 110.62</i></p>
<p><b>110.66</b></p> <p><b>Consider strengthening policies to combat discrimination in all areas, notably in employment and education (Morocco)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>In October 2010 the new Equality Act 2010 came into force, which replaced all existing equality legislation with a single Act. The act also strengthened protection in some situations. The Act covers nine protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation</p> <p>The Equality Act prohibits direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person. It prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).</p>



UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>The education provisions of the Equality Act 2010 already offer strong protection for school pupils against discrimination and inequalities in education. This is further supported by the public sector Equality Duty which requires all publicly funded schools to have due regard to eliminating discrimination, promoting equality of opportunity and fostering good relations, and for them to demonstrate how they are doing this through publication of equality objectives and supporting equality information.</p> <p>In offering partial support to this recommendation it should be noted that, the UK Government considers that the Equality Act 2010 provides sufficient, extensive protection from discrimination and therefore rejects any assertion that our current efforts are insufficient or fall short of good practice. However, as is done with all new legislation, the Government has committed to reviewing the Act in 2015 to ensure that it is operating as intended. Consideration of the effectiveness of policies in combating discrimination forms part of that review.</p> <p><i>Scotland</i></p> <p>The Scottish Government have taken a distinctive approach to implementing the public sector equality duty in the Equality Act (2010), which is already supporting work to identify unlawful discrimination and encourage the promotion of equality across Scotland.</p> <p><i>Wales</i></p> <p><i>See response to recommendation 110.50.</i> Equality objectives include reducing the numbers of young people not in education, employment or training. This is a long-term aim and measurable progress will be made against this objective by 2016.</p>
<p><b>110.67</b></p> <p><b>Ensure that inquiries are carried out immediately, independently, and transparently in cases where</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>UK Armed Forces personnel are not free to act with impunity: they act in accordance with international laws as</p>

<b>UPR RECOMMENDATION</b>	<b>UNITED KINGDOM'S POSITION</b>
<p><b>members of the armed forces are suspected of having committed acts of torture, particularly in the context of their service abroad (Switzerland)</b></p>	<p>well as mandated rules of engagement and the Armed Forces Act 2006. The Service Justice System is separate and universally deployable to ensure that any allegation of criminal conduct by a member of the Armed Forces on duty can be properly investigated and tried, no matter where the crime is committed or who the victim may be.</p> <p>The use of torture is specifically banned by the rules and regulations under which our Armed Forces and all government officials operate. Military chiefs and the responsible politicians condemn all acts of abuse, and treat allegations of wrongdoing extremely seriously. All substantive allegations are investigated; there are robust mechanisms in-place to ensure that investigations are complete and transparent.</p> <p>In respect of our counter terrorism operations, the UK not only acts in accordance with our domestic human rights obligations but has also developed the Overseas Security and Justice Assistance guidance on human rights to seek to ensure that security and justice work we do overseas strengthens compliance with international human rights standards. The UK Government can and do follow a policy reporting perpetrators of human rights violations to authorities overseas whenever possible.</p> <p>The Government stands firmly against torture and cruel, inhuman and degrading treatment or punishment. We do not condone it, nor do we ask others to do it on our behalf. The Government has published “Consolidated Guidance to Intelligence Officers and Service Personnel on the Detention and Interviewing of Detainees Overseas, and on the Passing and Receipt of Intelligence Relating to Detainees”, so that we can be clear as possible about the standards under which the intelligence agencies and armed forces operate.</p> <p>While the overwhelming majority of our military personnel conducted themselves with decency and honour in Iraq, we accept there may have been occasional lapses in what was a very violent conflict. The Secretary of State for Defence established the Iraq Historic Allegations Team (IHAT) in 2010 to investigate these allegations. We have not ruled out a public inquiry at some point in the future, should serious and systemic issues emerge from IHAT’s investigations that would justify it.</p> <p>However, we have made improvements already in many areas of concern. Doctrine and military training are kept under constant review. We are implementing recommendations from internal reviews of detainee handling and</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>from the Public Inquiry into the death of Baha Mousa whilst in UK custody in Iraq in 2003 which are available at: <a href="http://www.bahamousainquiry.org/">http://www.bahamousainquiry.org/</a> . We have in place mechanisms which will permit us to continue learning lessons as they emerge from the ongoing investigations.</p> <p>Detention operations in Afghanistan are a very different business than they were in Iraq. There is now much better training of personnel prior to deployment and detention safeguards and oversight mechanisms have been enhanced considerably. But we are not complacent. We recognise that when personnel operate under stressful and dangerous conditions then there will always be the potential for a small proportion to commit offences. However, any substantive allegation is investigated and, if there is evidence that an offence has been committed, cases are dealt with appropriately within the Service Justice System.</p> <p>The UK engages constructively with all UN human rights mechanisms, and would certainly cooperate accordingly if any particular UN body contacted us with concerns within their mandate. The results of any public inquiries are made available to all and could be accessed by any UN human rights mechanism.</p>
<p><b>110.68</b></p> <p><b>Along with the Special Procedures, investigate allegations of the systematic use of torture by British soldiers vis-à-vis detainees outside the country, and inform the results of these investigations to the UN human rights mechanisms, including the Human Rights Committee, Human Rights Council and its mechanisms (Belarus)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p><i>See response to recommendation 110.67</i></p>
<p><b>110.69</b></p> <p><b>Adopt a national strategy to</b></p>	

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>combat all forms of violence against women and girls (Brazil)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>On 25<sup>th</sup> November 2010, the UK Government published its first Strategy to end all forms of violence against women and girls. A detailed range of 88 supporting actions was published on 8<sup>th</sup> March 2011. The updated Action Plan was launched on 8<sup>th</sup> March 2012. More than half the original actions have been completed, with a further 100 actions to be delivered, with more emphasis on the importance of prevention.</p> <p><i>Scotland</i></p> <p><i>See response to recommendation 110.51</i></p> <p><i>Wales</i></p> <p>The '<i>Right to be Safe</i>' is the Welsh Government's six year strategy for tackling all forms of violence against women. Violence against women constitutes a serious violation of the human rights of women and girls and is a major obstacle to the achievement of equality between women and men. Achievements and developments against the '<i>Right to be Safe</i>' Implementation Plan in 2011-12 include: Providing £4.366 million funding to deliver effective Violence Against Women and Domestic Abuse (VAWDA) services to victims across Wales; Three publicity campaigns focused on domestic abuse, sexual violence against women and the impact of domestic abuse on children; Recruiting Wales's first Anti Human Trafficking co-ordinator; and establishing the 10,000 Safer Lives project, which focuses on tackling domestic abuse.</p>
<p><b>110.70</b></p> <p><b>Continue making progress in implementing the Action Plan on violence against women and girls (Colombia)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See recommendation 110.69</i></p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.71</b></p> <p><b>Take more effective measures to combat all forms of violence against women and girls and to ensure that the perpetrators of violence are taken to justice and punished (Malaysia)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See recommendation 110.69</i> and to note that the Violence Against Women and Girls Action Plan also includes the criminal justice steps the UK Government will be taking forward.</p> <p><i>Wales</i></p> <p>The Welsh Government's Legislative Programme includes a Bill to end Violence Against Women and Domestic Abuse - a line in the sand in tackling the enduring culture that leads to this issue. It will seek to complement existing law, focusing on the social issues within the elements of prevention, protection and support.</p>
<p><b>110.72</b></p> <p><b>Increase efforts to combat trafficking in persons, particularly to protect women and children (Spain)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is increasing its efforts to combat trafficking in persons through the UK Government's human trafficking strategy and in implementing the EU Directive on trafficking in human beings. This is done in partnership with the Devolved Administrations and others.</p>
<p><b>110.73</b></p> <p><b>Continue making progress in applying the strategy on trafficking in persons</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government continues to make progress in implementing its strategy on tackling human trafficking</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
adopted in July 2011 (Columbia)	which it published in July 2011.
<p>110.74</p> <p><b>Implement the EU Directive on trafficking in human beings by April 2013 and sign the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Australia)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government will implement the EU Directive on trafficking in human beings by April 2013. <i>(Also see recommendation 110.29 on the Convention on Preventing and Combating Violence Against Women and Domestic Violence).</i></p> <p><i>Scotland</i></p> <p>The Scottish Government are committed to tackling the abhorrent crime of human trafficking through partnership working with the UK Government and others, and have both changed the law and provided resources to meet European standards and assist enforcement and prosecution. The Scottish Government are supportive of opting into and implementing the EU Directive on trafficking in human beings.</p> <p><i>Wales</i></p> <p>The Welsh Government is committed to working together with the UK Government in order to tackle trafficking.</p>
<p>110.75</p> <p><b>Standardize anti-trafficking responses across the UK insofar as possible given the devolution of law</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>As the recommendation recognises, it is not possible to standardise anti-trafficking responses across the UK.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>enforcement powers, and appoint a rapporteur in each devolved authority to make critical assessments and improve the UK's overall anti-trafficking response (United States of America)</b></p>	<p>Immigration policy is the responsibility of the UK Government, but justice and policing policy is devolved. The UK Government has announced that the Inter-Departmental Ministerial Group on Human Trafficking will be the UK's equivalent national rapporteur mechanism to comply with the EU Directive on trafficking in human beings. Ministers from the Scottish and Welsh Governments and the Northern Ireland Executive attend the Inter-Departmental Ministerial Group on Human Trafficking and officials from the Devolved Administrations are represented on the Human Trafficking Strategy Board. It is therefore not appropriate to appoint individual rapporteurs in the Devolved Administrations.</p>
<p><b>110.76</b></p> <p><b>Take all measures to ensure that all trafficked people are able to access the support and services they are entitled to, including free legal aid and access to their right to compensation (Greece)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>In the UK, there is a range of support for victims of trafficking including an ability to seek compensation. In addition certain civil legal aid services are available to those individuals who have been confirmed as a victim of trafficking following a conclusive grounds decision through the National Referral Mechanism or where there has been a reasonable grounds decision and there has not been a conclusive determination to date that the individual is not a victim.</p>
<p><b>110.77</b></p> <p><b>Ensure by legislative and other measures that women in Northern Ireland are entitled to safe and legal abortion on equal basis with women living in other parts of the United Kingdom (Finland)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The law in Northern Ireland is different from the legislation which provides for abortion in Great Britain. The legislative position has been different in the separate jurisdictions for many years, and any changes to the law in this area are a matter for the Northern Ireland Assembly and Executive.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.78</b></p> <p><b>Reconsider its position about the continued legality of corporal punishment of children (Sweden)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>Keeping children safe is a top priority for the UK Government, which is absolutely clear that no child should be subjected to violence or abuse. The law in the UK only permits physical punishment of children in very limited circumstances. Corporal punishment is unlawful in state and full-time independent schools, in nursery and childminding settings, children's homes and secure establishments. In any setting, an assault on a child that results in injuries that are more than transient or trifling would normally be charged as an assault occasioning actual or grievous bodily harm. Where that is the case, the assault cannot be defended on the basis that it is reasonable punishment. Research shows that fewer parents now use physical punishment, and we hope that trend continues. We encourage the provision of evidence-based parenting programmes as they promote alternatives to physical punishment to manage children's behaviour.</p> <p>The UK Government does not accept that it is in breach of the UNCRC with regard to physical punishment; and believe that UK is compliant with Articles 19 and 37 in relation to abuse and violence towards children.</p>
<p><b>110.79</b></p> <p><b>Take measures to ensure the freedom of children from physical punishment in accordance with the Convention on the Rights of the Child (Norway)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See recommendation 110.78</i></p>
<p><b>110.80</b></p> <p><b>Introduce a ban on all corporal punishment of</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p>



UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
children as recommended by the CRC and other treaty bodies (Finland)	<i>See recommendation 110.78</i>
<p><b>110.81</b></p> <p><b>Strengthen guarantees for detained persons, and not to extend but to shorten the length of time of pre-trial detention (Islamic Republic of Iran)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>A suspect who has been charged with an indictable offence has a right to bail under the Bail Act 1976, but may be remanded in custody where one or more 'exceptions to bail' are present. The most important of these are that there are substantial grounds for believing that if released on bail the defendant would: fail to return to court; commit an offence; or interfere with witnesses or otherwise obstruct the course of justice.</p> <p>The period for which a defendant who is remanded in custody may be detained is governed by custody time limits which limit the time which may elapse between first appearance and start of trial to 56 (or in certain cases 70) days for cases being tried summarily, and to a total of 182 days for cases tried on indictment. The limits may be extended by the court on application, provided there is a good and sufficient cause for so doing and that the prosecution has shown all due diligence and expedition. When the custody time limit expires, the defendant must be released on bail.</p> <p><i>Scotland</i></p> <p>Strict limitations on pre-trial detention have been a long-standing feature of the law of Scotland. Those accused of an offence tried under summary procedure (in the lower courts and without a jury) may be held for a maximum period of 40 days. In more serious cases, tried before the higher courts, the maximum period of pre-trial detention is 110 or 140 days, depending on which court hears the case. These detention periods are already short by international standards. The importance of bringing fully prepared cases to court as quickly as possible has been a guiding principle in previous and ongoing reforms to the criminal justice system in Scotland.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.82</b></p> <p><b>Ensure realization of the right of detainees to the legal assistance immediately after being taken into detention without exception (Russian Federation)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>In non-terrorism cases in England and Wales, there is a right to consult a solicitor privately at any time following arrest and entry into police custody (see section 58 of the Police and Criminal Evidence Act 1984, and the accompanying code of practice Code C). On detention at a police station, the detainee must be informed of that right and asked whether they wish to exercise it. If they ask to speak to a solicitor, they must be allowed to do so as soon as practicable unless, exceptionally in serious cases, a senior police officer authorises this to be delayed on limited grounds, on the basis that providing immediate access would lead to serious adverse consequences including injury to persons and interference with or harm to evidence or the escape of other suspects. The delay may not in any case be for more than 36 hours or after the person has been charged whichever is sooner.</p> <p>Schedule 8 to the Terrorism Act 2000 and PACE Code H apply to persons arrested under section 41 of the Act and provide for similar rights to those provided to individuals arrested under PACE. These include the right to consult a solicitor privately and as soon as reasonably practicable and the right not to be held incommunicado. Schedule 8 also provides that the right to access legal advice may be delayed where there is reason to believe that its immediate provision will lead to a number of consequences. These include interference with the gathering of information about the commission, preparation or instigation of acts of terrorism, or tipping off others who may have been involved in an act of terrorism. Any such delay must be authorised by a senior police officer and may not in any case be delayed beyond 48 hours. Note also that exceptionally, a direction may be made under Schedule 8 providing that consultation with a solicitor must take place in the sight and hearing of a “qualified officer”.</p> <p><i>Scotland</i></p> <p>In Scotland, an immediate right of access to a lawyer in non-terrorist cases was established by the Criminal Procedure (Legal Assistance, Detention and Appeals) (Scotland) Act 2010. In non-terrorist cases, the period of</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	pre-charge detention in Scotland is limited to 12 hours under the legislation. This period can be extended a further 12 hours by a senior police officer in certain circumstances related to the investigation.
<p><b>110.83</b></p> <p><b>Continue efforts to ensure that “secret evidence” is only used in cases where there is a serious and immediate threat to public security and ensure independent and effective judicial oversight (Austria)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>Work in response to this recommendation is already being taken forward through the Justice and Security Bill. Currently, closed material procedures (CMPs) are available in an extremely limited number of contexts in the UK, but the courts have found that in certain circumstances they can be fairer than fully open and transparent proceedings, particularly in circumstances where a claim might fail if relevant sensitive information could not be taken into account. The Justice and Security Bill will make CMPs available in other civil proceedings, but only where open disclosure of relevant material would damage national security. Judges will decide whether a CMP is needed, and how each individual piece of evidence should be dealt with. In practice, nothing in these proposals will enable evidence which is heard in open court under present arrangements to be heard in secret in future.</p> <p><i>Scotland</i></p> <p>Scotland implemented measures covering disclosure of information to the defence by means of the Criminal Justice and Licensing (Scotland) Act 2010. All consideration of "secret evidence" is dealt with by a judicially managed process involving special counsel.</p>
<p><b>110.84</b></p> <p><b>Begin an independent investigation of all cases of arbitrary detention</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>denounced due to UK's implication in the program of secret detention led by the United States (Nicaragua)</b></p>	<p>In July 2010, the Prime Minister announced a series of measures in order to try and draw a line under the serious allegations that had been made about the role the UK has played in the treatment of detainees held by other countries. We have published Consolidated Guidance which provides clear directions for intelligence officers and service personnel dealing with foreign liaison services regarding detainees held overseas. The Government also established the Detainee Inquiry to investigate whether Britain was implicated in the improper treatment or rendition of detainees held by other countries that may have occurred in the aftermath of 9/11. Although a decision has since been taken to draw this Inquiry to a conclusion while the Metropolitan Police Service carry out related criminal investigations, the Inquiry Chair, Sir Peter Gibson has provided the Government as requested with a report on its preparatory work to date, highlighting particular themes or issues which might be the subject of further examination. The Government is now looking carefully at its contents and is committed to publishing as much of this interim report as possible. In his statement to the House on 18 January 2012, the Justice Secretary said that the UK Government remained committed to drawing a line under these issues and fully intends to hold an independent, judge-led inquiry once it is possible to do so and all related police investigations have been completed. In the debate that followed, the Justice Secretary said that the Government now had more time, although it did not want it, to consider the reservations some NGOs had raised about the Gibson Inquiry's approach. However, the Government will not look at the question of terms of reference and protocols for a new Inquiry until we reach the point that one can be set up. In the meantime, relevant government departments and agencies are co-operating fully with the police investigations.</p>
<p><b>110.85</b></p> <p><b>Facilitate the ICRC access to prisons (Islamic republic of Iran)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The ICRC already have a well established visit programme to UK detention facilities in Afghanistan, which are the only facilities that currently fall within their mandate. Should there be any further requirement for such facilities, we would, as a matter of course, cooperate fully with the ICRC.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.86</b></p> <p><b>Take measures to reduce prison overcrowding and improve conditions for detainees (Russian Federation)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government remains committed to providing safe, decent and secure places for those in custody. Each establishment has a Certified Normal Accommodation (CNA), which is the uncrowded capacity of the establishment. CNA represents the good, decent standard of accommodation that NOMS aspires to provide all prisoners.</p> <p>Each establishment also has an Operational Capacity. This is the total number of prisoners an establishment can safely hold, including crowding. This is carefully set by senior prison managers on the basis of operational judgement and experience and takes account control, security and the proper operation of the planned regime.</p> <p><i>Scotland</i></p> <p><i>Also see response to recommendation 110.87</i></p>
<p><b>110.87</b></p> <p><b>Take concrete steps to further reduce overcrowding of prisons, including through the increased application of alternative sentencing for juvenile offenders (Austria)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is committed to modernising the custodial estate with 2,500 efficient and good quality places being delivered in 2012, at two new purpose-built prisons, HMP Thameside and HMP Oakwood. Since 2010 we have closed over 800 old and inefficient prison places and reduced crowding in private sector prisons by over 400 places.</p> <p>This sits alongside plans to introduce more effective sentencing and rehabilitation policies to break the destructive cycle of crime. Plans for reforming sentencing, if successfully implemented, are expected to stabilise the prison population over the next four years.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>There is a discrete juvenile justice system in operation in England and Wales that includes specialised youth Courts, youth custodial establishments and Youth Offending Teams who work with and supervise young people who have offended. Where criminal offences are committed by juveniles there are a range of out-of-court disposals that can be used as an alternative to prosecution in court if this is in the public interest. Disposals such as warnings and youth conditional cautions allow rehabilitative and reparative activities to take place without prosecution. Restorative Justice approaches are used as an alternative to the juvenile justice system and in addition to formal disposals and court sentences.</p> <p>Custody for juveniles remains an option of last resort and should be used only for the most serious and persistent offenders. For example courts are required by statute to consider a youth rehabilitation order with a high intensity requirement as a specified alternative to custody when the custody threshold is reached for an under 18. If they still consider custody is warranted then they must explain in open court why a youth rehabilitation order is not appropriate.</p> <p><i>Scotland</i></p> <p>The Scottish Government continues to invest in a fit-for-purpose prison estate as well as introducing a range of reforms to help reduce the prison population and reoffending. As an alternative to custody, the Scottish Government has introduced the Community Payback Order as well as presumption against sentences of 3 months or less, and are working closely with key partners through a joint working group which seeks to deliver continued improvement in this area.</p>
<p><b>110.88</b></p> <p><b>Consider incorporating the UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, otherwise</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>Following Baroness Corston's Review of Women with Particular Vulnerabilities in the Criminal Justice System in 2007, the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>known as the “Bangkok Rules“ as part of its policy on the treatment of women prisoners (Thailand)</b></p>	<p>Offenders (the “Bangkok Rules”) are very much in line with current government policy on women offenders in England and Wales.</p> <p><i>Scotland</i></p> <p>The Scottish Government recently commissioned an expert Commission on Women Offenders to examine how to improve the outcomes for women offenders in the criminal justice system. The Scottish Government are working with justice partners to take forward the recommendations and in doing so are considering the ‘Bangkok Rules’ as part of the policy development in this area.</p>
<p><b>110.89</b></p> <p><b>Improve programs for social reintegration of detainees (Nicaragua)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>In England and Wales the National Offender Management Service provides a range of programmes and initiatives to support the reintegration of offenders into society on their release from prison. We regard our work in this area as best practice and we continue to identify opportunities for improvement wherever they occur. Since the introduction of offender management in custody, offenders sentenced to 12 months or more (who will be supervised by probation on their release) are supported through their sentence by an offender manager or offender supervisor from the probation or prison service. This involves assessing their needs and risks of reoffending, planning the things to work towards in their sentence to reduce their risks and needs, and reviewing their progress through the sentence. A critical part of this process is planning for release, to ensure that measures are put in place to support their effective reintegration, including addressing housing need, employment and access to services such as drugs and alcohol services. Offenders released on licence will be supervised by the probation service, for the purposes of public protection, rehabilitation and effective resettlement into the community.</p> <p>An example of a practical resource that offenders can access while in custody is the Focusing on Resettlement (FOR) programme. This is a brief cognitive motivational intervention specifically developed to tackle the significant reoffending rates associated with shorter term prisoners. The aim of the FOR programme is to reduce re-offending by: Increasing offenders’ motivation to set their own ‘agenda for change’ as they prepare for release</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>and increase their engagement with services providing assistance with resettlement.</p> <p><i>Scotland</i></p> <p>The Scottish Government are undertaking an ongoing process of review and proactive improvement to adult community justice services. The Scottish Government are taking forward a three year Reducing Reoffending Programme 2012-15, which will include thorough examination of the funding, structures and performance management for the delivery of such services, and the establishment of new, improved structures and processes as necessary. A separate project will analyse the management of offenders' transition from custody to community, and deliver improvements to the processes and services available to all prison leavers, with a particular focus on those completing short-term sentences. We will also take action to deliver improved conditions and treatment for women offenders, responding to the recommendations of an independent, expert Commission.</p>
<p><b>110.90</b></p> <p><b>Take more effective measures to ensure that the perpetrators of acts of discrimination, hate crimes and xenophobia are adequately deterred and sanctioned (Malaysia)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK has in place one of the strongest legislative frameworks in the world to protect communities from hostility, violence and bigotry.</p> <p>A number of laws to deal with those who incite hatred and violence already exist. This includes specific offences of stirring up hatred on the grounds of race, religion and sexual orientation. To reflect the seriousness of hate crime, the courts also have powers to increase the sentence for any offence aggravated by hostility towards a person based on their disability, race, religion, or sexual orientation and they have not hesitated to use these general powers to reflect these aggravating factors when sentencing.</p> <p>In addition to the specific offences of stirring up hatred, there are also separate offences for racially and religiously aggravated crimes under the Crime and Disorder Act 1998. These offences carry higher maximum</p>



UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>penalties than the basic offence equivalents and the Act also places a duty on courts to treat more seriously any offence shown to be racially or religiously aggravated. Specific legislation for offences committed at football matches also exist, including for racist chanting and football banning orders for those who stir up hatred.</p> <p>The Government recognises the importance of ensuring legislation protects all victims of hate crime and that those who commit these offences are dealt with effectively. Within its plan to tackle hate crime, the Government has committed to a number of actions, which include amending and reviewing specific legislation relating to hate crime and producing a framework covering prisons and probation services to assist staff in identifying, assessing, intervening and managing people involved in hate related offending.</p> <p><i>Scotland</i></p> <p>In Scotland, the Offences (Aggravated by Prejudice) (Scotland) Act 2009 strengthens the criminal law in dealing with hate crime.</p>
<p><b>110.91</b></p> <p><b>Strengthen data collection and maintain disaggregated data to better understand the scale and severity of hate crimes towards women, immigrants, religious minorities, persons with disabilities, and children (United States of America)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>As set out in response to recommendation 110.60 above, the UK understands the importance of strengthening its data collection and has already committed to improving the recording of hate crimes, and developing a better understanding of the scale and severity of the problem in order to ensure that resources are allocated appropriately.</p> <p>As a first step, this year we published analysis of data on the extent of and perceptions towards hate crime from the 2009/10 and 2010/11 British Crime Survey (BCS). The BCS asks people about their experiences of crime in the last 12 months, which are used to estimate levels of crime in England and Wales. As part of the BCS all victims are asked if they believe that the incident was a hate crime motivated by seven different strands, including the five strands that are monitored by criminal justice agencies and then by age and gender. The data</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>demonstrates the contrast between victims who have experienced crime and those incidents that are reported to the police, and underlines the importance of our efforts to build victims' confidence to come forward.</p> <p>At present published data on the nature of hate crime is not disaggregated further beyond the seven strands set out in response to recommendation 110.60, and does not include children under the age of 16 years. However, information gathered from incidents reported to police forces can also be used to identify trends and inform policing decisions.</p> <p>We will continue to work with the relevant agencies to consider any other steps that could be taken to improve the collection of data relating to hate crime.</p> <p><i>Scotland</i></p> <p>In Scotland, data collect includes a variety of statistics about the number of convictions for aggravated crimes, including hate crimes relating to certain protected characteristics including religion, disability and sexuality.</p> <p><i>Wales</i></p> <p>The All Wales Hate Crime Research Project which is being led by Cardiff University and Race Equality First has received a three year Big Lottery Grant to undertake groundbreaking research which focuses on hate crime and hate related incidents across all recognised equality strands (age, disability, gender, race, religion and belief, sexual orientation and transgender status). The project aims to generate robust data on the prevalence, nature and impact of hate crime across Wales and to enhance communications, capacity building activities and information sharing about good practice in addressing hate crime.</p>
<p><b>110.92</b></p> <p><b>Encourage the devolved government of Northern Ireland to increase resources and personnel</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The allocation of resources to the Historical Enquiries Team is a matter for the devolved administration in Northern Ireland.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
available to the Historical Enquiries Team (United States of America)	
<p><b>110.93</b></p> <p><b>Publish the conclusions of the inquiry into the death of an Angolan national during a deportation procedure in October 2010 (Angola)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government deeply regrets the death of Mr Mubenga.</p> <p>The circumstances surrounding Mr Mubenga's death are currently the subject of investigations by the Prisons and Probation Ombudsman and the coroner. The Prisons and Probation Ombudsman will publish their anonymised report into the death of Mr Mubenga after the inquest into his death has concluded. The inquest will be held in public and the judgment made publicly available.</p>
<p><b>110.94</b></p> <p><b>Consider the possibility of raising the minimum criminal age and refrain from the practice of keeping children in custody (Belarus)</b></p>	<p>The recommendation <b>does not</b> enjoy the support of the United Kingdom.</p> <p>The UK Government believes that children are old enough to differentiate between bad behaviour and serious wrong-doing at age 10. However we accept that prosecution is not always the most appropriate response to youth offending and the majority of offences committed by children (aged 10-14) are addressed using out of court disposals and robust intervention to prevent the re-offending. Setting the age of criminal responsibility at age 10 in England and Wales allows frontline services to intervene early and robustly, preventing further offending and helping young people develop a sense of personal responsibility for their behaviour.</p> <p><i>Also see response to recommendation 110.87 on alternatives to custody for juvenile offenders.</i></p> <p><i>Scotland</i></p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>No child in Scotland under the age of 12 may be prosecuted for an offence. Nor can an older child be prosecuted for an offence committed when he or she was under 12. The law on prosecution of minors was last revised by the Criminal Justice and Licensing (Scotland) Act (2010). Scottish Ministers have committed to give fresh consideration to the age of criminal responsibility with a view to bringing forward further potential legislative changes during the current session of the Scottish Parliament (2011-16). On the issue of custody, the Criminal Justice and Licensing (Scotland) Act 2011 introduced provisions to end the very rare practice of remanding 14 and 15 year olds in prison. Accordingly, no legal mechanism exists for the courts to either remand or sentence a young person under age 16 to custody in prison.</p>
<p><b>110.95</b></p> <p><b>Consider the possibility of raising the age of criminal responsibility for minors (Chile)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p><i>See response to recommendation 110.94</i></p>
<p><b>110.96</b></p> <p><b>Ensure that the best interests of the child are taken into account when arresting, detaining, sentencing or considering early release for a sole or primary carer of the child, bearing in mind that visits of a parent in prison are primarily a right of the child rather than a privilege of the</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The Children Act 2004 provides a statutory framework in both England and Wales, requiring public bodies to make arrangements to safeguard and promote the welfare of children. The importance of supporting the children of offenders, both for their own sake and to prevent intergenerational crime, is recognised. Both prison and probation providers have duties under the Act, associated with either the child's right to contact with parents who are held in custody or with the safeguarding and wellbeing of children with whom they have contact. The National Offender Management Service (NOMS) service specifications set the minimum standards for Probation Trusts in delivery of Bail Services, Court Work and Assessment and all pre-sentence reports require that information relating to risk and safeguarding of children is recorded and communicated to the relevant agencies.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>prisoner that can be withdrawn as a disciplinary measure (Slovakia)</b></p>	<p>There is an expectation that Probation Trust staff in courts, or when preparing reports, consider the parental or caring responsibilities of the offender and the impact of any sentencing proposals or advice given to the court.</p> <p>Prison Rules require prisons to actively encourage prisoners to maintain outside contacts and meaningful family ties. Visits are seen as crucial to sustaining relationships with partners and children and help prisoners maintain links with the community. Un-convicted and convicted prisoners have a statutory right to a determined number of visits per month. However, if there are legal restrictions pertaining to access to children, safeguarding measures will be taken. NOMS provides the Assisted Prison Visits Scheme (APV) to provide financial help with travel expenses to prisoners' close relatives, children and escort to qualifying children where the visitor is on a low income. Governing Governors and Directors of Contracted Prisons must ensure that the APV scheme is widely advertised in: visitors centres, visit and/or waiting rooms and in the prison library. Prisoner induction programmes or similar must provide basic information about the APV scheme</p> <p><i>Scotland</i></p> <p>In Scotland, the welfare of the Child of a parent in the criminal justice system is of paramount importance and in some cases, there will be a need for a multi-agency approach, involving the police, social work and childcare professionals to carefully consider the child's needs, any views expressed by the child, and if required, consider and put in place suitable measures in order to protect the child.</p>
<p><b>110.97</b></p> <p><b>Publish the recommendations of the Leveson Inquiry on the establishment of a regulatory regime for ethical media (Angola)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The Leveson Inquiry has examined the 'culture, practices and ethics of the media'. In particular, Lord Justice Leveson has looked at the relationship of the press with: i) the public; ii) the police; and iii) politicians.</p> <p>The Inquiry will now make recommendations on the future of press regulation and governance consistent with maintaining freedom of the press and ensuring the highest ethical and professional standards. We expect that the recommendations will be published in autumn 2012.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.98</b></p> <p><b>Adopt necessary actions to prevent impunity and further violations of privacy committed by private media companies such as News Corporation, through hacking into telephone communications, e-mails, and voicemails (Ecuador)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is clear about the vital importance of a free press and media that is able to challenge and hold Government and others to account. We recognise, however, that some parts of the press have not observed the press self-regulatory code and indeed in some cases have not obeyed the law. It is these issues that the Leveson Inquiry was established to address and it will be for Lord Leveson's Inquiry to make specific recommendations on the future of press regulation.</p> <p>The Inquiry is independent of Government, and we would not want to pre-judge what the Inquiry's recommendations might be. However, we will examine the recommendations in detail and will carefully consider any necessary measures to ensure that an effective free press can thrive whilst ensuring appropriate safeguards for the public.</p> <p><i>Also see recommendation 110.97</i></p>
<p><b>110.99</b></p> <p><b>Assess the impact of the minimum age limit for overseas spouses or fiancés on the prevention of forced marriage and review its policy in this regard (Slovenia)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>On 28 November 2011, the minimum age requirement for applicants and sponsors of spouse visas reverted to 18. This change to the Immigration Rules was made in order to comply with a recent Supreme Court determination that the previous age requirement (21 years) was unlawful.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>110.100</b></p> <p><b>Need to avoid the impact of the draft Defamation Bill, presented in March 2011, which restricts practicing of the freedom of opinion and expression (Iraq)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>Following consultation and pre-legislative scrutiny on a Draft Bill, the Defamation Bill is currently in passage through the UK Parliament. The Bill reflects the Government's view that the law needs to be rebalanced to secure more effective protection for freedom of speech and to stop the threat of long and costly libel proceedings being used to stifle responsible investigative reporting and scientific and academic debate. At the same time, it is also important that people who have been defamed are not left without effective remedies where their reputation has been seriously harmed. The core aim of the Bill is to get the balance right, so that free speech is not unjustifiably impeded by actual or threatened libel proceedings, while ensuring that people who have been libelled are able to protect their reputation. With this in mind, the Bill contains a range of measures to support freedom of expression.</p>
<p><b>110.101</b></p> <p><b>Provide more resources for reforming the welfare system in order to make it better able to tackle poverty and worklessness, and reduce negative impact on social vulnerable groups (Vietnam)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is reforming the welfare system through, among other measures, the introduction of Universal Credit (UC). UC will be clearer and simpler for claimants to understand, and will ensure that work always pays.</p> <p>Through schemes like the Work Programme, we are providing more personalised back to work support for those at risk of long term unemployment.</p> <p>We are also working to ensure that support for those who are unable to work, for example because of a disability, is better targeted and more sustainable in the long term, and that those who might be able to return to work in the near future are supported to do so.</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>In addition, through early intervention and a focus on tackling the causes of poverty, rather than the symptoms, the new Social Justice Strategy aims to empower those with the most severe and multiple disadvantages to make lasting changes to their lives.</p> <p><i>Scotland</i></p> <p>The Scottish Government agrees with the broad principles of the UK Government's welfare reforms plans, but recognises that work is not appropriate for everyone and that sufficient support should be available to those who need it. The Scottish Government agrees that welfare reform should take account of the needs of the poorest and most vulnerable people in society.</p>
<p><b>110.102</b></p> <p><b>Strengthen measures aimed at reducing serious inequalities in access to health, education and employment, which still exist despite the adoption of the Equality Act (Spain)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>In October 2010 the new Equality Act 2010 came into force, which replaced all existing equality legislation with a single Act. The act also strengthened protection in some situations. The Act covers nine protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation</p> <p>The Equality Act prohibits direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person. It prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).</p> <p>The education provisions of the Equality Act 2010 already offer strong protection for school pupils against discrimination and equalities in education.</p>



UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>This is further supported by the public sector Equality Duty which requires all publicly funded schools and hospitals to have due regard to eliminating discrimination, promoting equality of opportunity and fostering good relations and that they demonstrate how they are doing this through publication of equality objectives and supporting equality information.</p> <p>In addition, on 12 June 2012 the Government announced that it is to ban age discrimination in the provision of goods, facilities and services. This means that from October 2012 age discrimination will be banned, for example, in the provision of healthcare.</p> <p>The UK Government considers that the Equality Act 2010 provides sufficient, extensive protection from discrimination. However, as is done with all new legislation, the Government has committed to reviewing the Act in 2015 to ensure that it is operating as intended.</p> <p><i>Wales</i></p> <p><i>See response to recommendation 110.50.</i> Equality objectives within the Strategic Equality Plan include reducing the numbers of young people not in education, employment or training; and putting the needs of service users at the heart of delivery in key public services, in particular health, housing and social services.</p>
<p><b>110.103</b></p> <p><b>Guarantee the enjoyment of economic, social and cultural rights, particularly health, education and adequate housing (Cuba)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK already takes effective action towards the realisation of economic, social and cultural rights, in line with the ICESCR. For example in regards to Health, The Health and Social Care Act 2012 established the first ever specific legal duties on health inequalities which include consideration of the need to reduce inequalities in access to health services and the outcomes achieved. In regards to education the UK Government is committed to developing policies that raise attainment for all children and close the gap between those facing disadvantage and their peers. In addition, the Government is committed to ensuring that all people have access to adequate</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>housing. The Government's Housing Strategy for England recognises that housing is crucial for social mobility, health and wellbeing. It is designed to meet the housing needs of the country, now and in the future.</p> <p><i>Scotland</i></p> <p>The Scottish Government's purpose is to focus public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. The Scottish Government measures success through a National Performance Framework, which working towards outcomes relevant to the enjoyment of rights to health, education and housing. These include working to ensure that Scots live longer and healthier lives, that young people are successful learners, that Scots are better educated and that Scots live in well designed, sustainable places. These outcomes are measured through specific national indicators which provide us with information on where we are achieving success and where more still needs to be done.</p> <p><i>Wales</i></p> <p>The Welsh Government's Programme for Government<sup>6</sup> sets out what it is going to do to improve the lives of the people of Wales. This includes its plan of action for 21<sup>st</sup> century healthcare, helping everyone to reach their potential, reduce inequality, and improve economic and social well-being and ensuring that people have high quality, warm, secure and energy efficient homes to live in.</p>
<p><b>110.104</b></p> <p><b>Recognize the right of access to safe drinking water and sanitation in line with GA resolution 64/292</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK recognises the right to water and a right to sanitation as elements of the right to an adequate standard of</p>

<sup>6</sup> <http://wales.gov.uk/about/programmeforgov/?lang=en>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
<p><b>and HRC resolution 18/1, as well as CESCR recommendations recognizing the right to sanitation as an integral part of the human right of access to safe drinking water (Spain)</b></p>	<p>living in Article 11 of the International Covenant on Economic, Social and Cultural Rights. The right to water entitles everyone to sufficient, affordable, safe water for drinking, cooking and personal hygiene. The right to sanitation, which the UK recognised in June 2012, entitles everyone to a system for the treatment and disposal or re-use of human sewage and associated hygiene. The right to water and the right to sanitation are <u>not</u> free-standing rights or rights under customary international law.</p> <p><i>Scotland</i></p> <p>The Water Resources (Scotland) Bill and the Scotland's Hydro Nation agenda both promote action on water and sanitation issues. Scotland's Hydro Nation approach of developing the value of our water resources domestically and through international development work such as the Climate Justice Fund is a strong supporting contribution to the water and sanitation resolutions.</p>
<p><b>110.105</b></p> <p><b>Fully recognize the human right to safe drinking (Germany)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See recommendation 110.104 (The UK recognised that the German delegation ran out of time and that the recommendation should be interpreted as 'Fully recognise the human right to safe drinking water and sanitation'.)</i></p>
<p><b>110.106</b></p> <p><b>Adopt a strategy so that children of vulnerable groups are not excluded from the education system (Costa Rica)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK Government is committed to developing policies that raise attainment for all children and close the gap between those facing disadvantage and their peers. Under the Equality Act 2010, in England the Department for Education has a legal duty to publish information to demonstrate compliance with the Public Sector Equality Duty</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	<p>of that Act; and the objectives under which we plan to foster fairness. The objectives confirm that we will 'ensure that all children gain the knowledge they need to prepare them for adult life, through a reformed National Curriculum and more robust academic and vocational qualifications up to the age of 19. We shall be looking in particular for evidence of attainment of children with special educational needs, and those from minority ethnic communities that are currently under achieving. We shall support young women and young men to make informed choices, not limited by stereotypical thinking, by introducing a new duty on schools to secure access to independent and impartial careers guidance on the full range of post-16 education and training options'. We monitor progress through a range of evidence gathering mechanisms, including OFSTED and other published reports.</p> <p><i>Scotland</i></p> <p>The Scottish Government are committed to ensuring that all children and young people are able to make the most of the educational opportunities available to them to reach their potential. To achieve this, the Scottish Government are committed to supporting the implementation of the provisions of the Equality Act 2010 which require schools to proactively prevent direct and indirect discrimination in relation to protected characteristics. In addition, we recognise that vulnerable children and young people may require support to enable them to realise their full potential. The Additional Support for Learning legislation provides the framework for children and young people who need additional support, for any reason, short or long term, to receive it to overcome barriers to their learning. Scottish education authorities must identify, provide for and keep under review the additional support needs for all children and young people for whose education they are responsible. The framework includes provisions for planning for learning, with support from other agencies, including health and social work services.</p> <p><i>Wales</i></p> <p>The Welsh Government begins from the position that children's educational interests are best served by attendance at school and we take steps to support children of vulnerable groups within schools. Where it is not possible to support a child at school, or families choose not to send their children to mainstream schools, we provide additional support, for example through specialist units, home tuition and the operation of education</p>

UPR RECOMMENDATION	UNITED KINGDOM'S POSITION
	welfare services.
<p><b>110.107</b></p> <p><b>Raise awareness campaign about rights of migrants and against racial discrimination (Costa Rica)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK has in place extensive human rights and equalities legislation (for example, the Human Rights Act 1998 and the Equality Act 2010) which affords protection of the rights of those on its territory, including migrants. In addition, the Government's Equality Strategy 'Building a Fairer Britain' aims to create fairness and opportunities for everyone, including those from ethnic minorities. The UK's Equality and Human Rights Commission has a statutory remit to promote and monitor human rights, and to protect, enforce and promote equality, including race equality. There is also an advice and support service to help individuals in England, Scotland and Wales who have problems with discrimination</p>
<p><b>110.108</b></p> <p><b>Strengthen governmental measures to guarantee the effective implementation of the human rights of migrants in accordance with the existing international instruments in this area (Paraguay)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p><i>See response to recommendation 110.44 and 110.108</i></p>
<p><b>110.109</b></p> <p><b>Retain the Overseas Domestic Worker visa as a measure to safeguard</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p>

<b>UPR RECOMMENDATION</b>	<b>UNITED KINGDOM'S POSITION</b>
<b>against abuses of migrant workers (Thailand)</b>	<p>The UK Government has retained the route for Overseas Domestic Workers (ODWs) and in doing so have introduced measures to reduce the likelihood of abuse occurring in the UK. ODWs can only accompany visitors to the UK for a maximum period of six months and we have introduced more stringent entry requirements for those who are eligible to come here including requiring applicants to provide more evidence of their existing employer/employee relationship of a minimum of 12 months as well as a written contract providing their conditions of employment in the UK. In addition, every ODW is provided with information about their rights in the UK when they apply for their visa. As well as the enhanced pre-entry checks, further mechanisms are also available to protect ODWs within the UK. They are regarded as workers, not visitors and as such, they continue to be entitled to the protections of UK employment law, including access to an Employment Tribunal and ODWs who believe they are a victim of crime may make a complaint to the police. The National Referral Mechanism (NRM) for the identification and support of victims of trafficking is available to all ODWs who believe they are victim of crime of trafficking.</p>

<p><b>110.110</b></p> <p><b>Strengthen national and local policies and measures to protect migrants, especially foreign workers (Vietnam)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p><i>See response to recommendation 110.44 and 110.108</i></p>
<p><b>110.111</b></p> <p><b>Continue adopting measures to prevent cases of indefinite detention of migrants, and guarantee all their rights (chile)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p>UK Government policy on the use of immigration detention complies fully with Article 5 of the European Convention on Human Rights. In addition, there is a presumption in favour of temporary admission or release and, wherever possible, alternatives to detention are used. Detention is used sparingly and for the shortest time necessary.</p> <p>Immigration detention is most usually appropriate in the following circumstances: initially, whilst a person's identity and basis of claim is being established; where there is reason to believe that a person will fail to comply with the conditions of temporary admission or release; as part of a fast-track asylum process; or to effect removal from the UK.</p> <p>Immigration detention must not only be based on one of the statutory powers in UK legislation but must also accord with the limitations implied by domestic and European case law. Immigration detention in the UK takes place within a clear legal framework, which includes appropriate safeguards for detained persons. Detained persons may apply to a chief immigration officer or an immigration judge for release on bail, and may at any time challenge the lawfulness of their detention through the processes of judicial review or <i>habeas corpus</i>. Information on how to obtain legal advice is provided to all detained persons; regular legal advice surgeries are provided in all immigration removal centres; and detained persons are able to qualify for free legal aid.</p> <p>Although there is no fixed time limit on immigration detention under UK law or policy it operates in line with the established principle that it must not be unduly prolonged and must last for no longer than is reasonably necessary for the purpose for which it was authorised. The UK Government considers that the introduction of a</p>

	<p>fixed time limit on immigration detention would be inappropriate: any such limit would be arbitrary, taking no account of an individual's circumstances, and would serve only to encourage individuals to frustrate and delay immigration and asylum processes in order to reach the point at which they would have to be released.</p>
<p><b>110.112</b>  <b>Adopt necessary measures to prevent indefinite detention of migrants, and provide all legal safeguards to detained migrants (Honduras)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p><i>See response to recommendation 110.111</i></p>
<p><b>110.113</b>  <b>Adopt necessary measures to avoid criminalization of irregular migration, de-facto indefinite detention without the provision of all legal safeguards for undocumented migrants and asylum seekers (Ecuador)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p><i>See response to recommendation 110.111</i></p>
<p><b>110.114</b>  <b>In line with the British Government commitment to the universality of human rights, prohibit the indefinite detention of migrants, seek alternatives to their detention and ensure that such detention is for the shortest possible duration</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p><i>See response to recommendation 110.111</i></p>



<p><b>(Mexico)</b></p> <p><b>110.115</b></p> <p><b>Take necessary measures to avoid any use of detention of asylum seekers during the process of determining their refugee status (Argentina)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The majority of those claiming asylum in the UK will not routinely be detained whilst their asylum claim is being processed. However, the United Kingdom takes the view that in limited circumstances, as laid out in published detention policy, detention of applicants will be appropriate.</p> <p>The Detained Fast Track process applies to a minority of asylum applicants, but is a central part of the United Kingdom's overall asylum system. It enables the applications to be concluded fairly, promptly and with certainty, to the benefit of applicants and the system as a whole. It applies only where a quick decision on the asylum application can be made, and so the detention involved for the consideration of the claim will be for a short period. Full procedural and judicial safeguards apply to ensure fairness. The principle of detained fast track processes has been found to be lawful in domestic courts and at the ECtHR (at the Grand Chamber).</p>
<p><b>110.116</b></p> <p><b>Establish immediate means of redress and protection of ethnic religious minorities and migrants, in particular Muslims (Islamic Republic of Iran)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK has already implemented this recommendation. In October 2010 the new Equality Act 2010 came into force, which replaced all existing equality legislation with a single Act. The Act also strengthened protection in some situations. The Act covers nine protected characteristics including both race and religion or belief.</p> <p>The Equality Act prohibits direct and indirect discrimination, harassment, victimisation. It prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).</p> <p>This is further supported by the public sector equality duty which sets out that all public bodies must have due regard to eliminating discrimination, promoting equality and fostering good relations and must demonstrate how they are doing this through publication of equality objectives and supporting equality information.</p> <p><i>See also responses to recommendation 110.90 and 110.91 on hate crime</i></p>

	<p><i>Scotland</i></p> <p><i>See response to recommendations 110.90 and 110.91</i></p>
<p><b>110.117</b></p> <p><b>Share best practices of tackling the situation of the Roma and Traveller people through the EU Framework for National Roma Integration Strategies adopted in 2011 (Hungary)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK has a strong and well-established legal framework to combat discrimination and hate crime. This protects all individuals, including Roma and Travellers, from racial and other forms of discrimination, and racially motivated crime. The UK plays a full and constructive part in international forums concerned with Roma, including those in the EU. The UK fully supported the EU Council Conclusions on Roma agreed at the Employment and Social Affairs Council in May 2011.</p> <p>We are committed to working with our European partners to improve the social and economic situation of Roma, including by sharing best practice, while recognising that the primary responsibility for this lies with national governments themselves, who need to design their policies according to the size and specific circumstances of their Roma and Traveller communities.</p> <p>The UK Government and the Devolved administrations continue to work together in this area to ensure that all parts of the UK are effectively represented.</p>
<p><b>110.118</b></p> <p><b>Ensure full adherence to its international human rights obligations in its overseas counter-terrorism operations and set up comprehensive legislative and implementation frameworks for the identification,</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom <b>in part</b>.</p> <p><i>See response to recommendation 110.67</i></p>

<p><b>investigation, prosecution, and punishment of perpetrators of various human rights violations (Egypt)</b></p>	
<p><b>110.119</b></p> <p><b>Continue to ensure that its terrorism prevention legislation and measures comply with the international human rights standards (Japan)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK considers that its Counter-Terrorism prevention legislation complies with its international human rights obligations.</p>
<p><b>110.120</b></p> <p><b>Continue to review all counter-terrorism legislation and ensure that it complies with the highest human rights standards (Norway)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK keeps its counter-terrorism legislation under regular review through a variety of mechanisms to ensure that they remain necessary and proportionate. A recent example of such a review was the review completed in 2011 of the most sensitive counter-terrorism and security powers. This has resulted in a number of significant changes to the powers. The statutory reviewer of terrorism legislation reviews the UK's counter-terrorism legislation on a regular basis and the UK Government carefully considers the resulting public recommendations.</p>
<p><b>110.121</b></p> <p><b>Steadily review the implementation of its new system of terrorism prevention and investigation to ensure the effectiveness in practice of safeguards against abuse and the deliberate targeting of certain ethnic groups</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The new Terrorism Prevention and Investigation Measures legislation is subject to regular review, both by the statutory review of terrorism legislation and through the extensive judicial scrutiny of the use of the powers. Deliberate targeting of certain ethnic groups would contravene the European Convention on Human Rights and the UK's extensive discrimination laws.</p>

<p><b>(Netherlands)</b></p> <p><b>110.122</b></p> <p><b>Abandon the policy of using diplomatic assurances concerning torture and other ill-treatment as a means to avoid exposing persons to the risk of such human rights violations during any type of involuntary transfer to the territory or the custody of another State (Nicaragua)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK Government believes that its primary responsibility is to ensure the national security of its citizens and will consider all the available options for dealing with the threat posed by terrorism.</p> <p>The UK believes that it should be able to deport foreign nationals who threaten national security to countries where there are verifiable guarantees that they will not be tortured.</p> <p>The UK courts along with the European Court of Human Rights found the use of diplomatic assurances to be an appropriate and legal option in safeguarding the well-being of individuals we deport. We will not deport any individual where there is a real risk that their human rights will be infringed.</p>
<p><b>110.123</b></p> <p><b>Legislate to restrict the detention of terror suspects without charge and ensure legality of such detention, including through action by the judicial system (Russian Federation)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK considers that the legislative framework for the detention of terrorist suspects before they are released or charged is necessary and proportionate. It has strong statutory judicial safeguards and is compliant with our domestic and international legal obligations. The UK Government has, through the Protection of Freedoms Act 2012, reduced the maximum period that a terrorist suspect can be detained from 28 to 14 days. The compatibility of Schedule 8 of the Terrorism Act 2000 with the ECHR was recently upheld in the Sultan Sher<sup>7</sup> and Colin Duffy<sup>8</sup> court cases.</p>

<sup>7</sup> <http://www.bailii.org/ew/cases/EWHC/Admin/2010/1859.html>

<sup>8</sup> <http://www.bailii.org/nie/cases/NIHC/QB/2011/16.html>

<p><b>110.124</b></p> <p><b>Cooperate with United Nations and other international and regional mechanisms with a view to guaranteeing that the legal and administrative measures adopted to combat terrorism respect the enjoyment of human rights and fundamental freedoms (Russian Federation)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK engages fully with the UN and other bodies in international efforts to combat terrorism, and encourages others to do the same. The UK is confident that our counter terrorism legislation and practices comply with, and often exceed, international human rights standards. But we would, and do, engage constructively if any international or regional organisation expresses concerns about our domestic legislation.</p>
<p><b>110.125</b></p> <p><b>Commit to investigating individuals suspected of involvement in terrorism-related activities and, where sufficient evidence exists, to prosecuting them in the ordinary criminal courts, and in conformity with international fair standards (Norway)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>Prosecution is regarded as the fairest and most effective way to deal with terrorists. The UK's Counter-Terrorism Strategy, known as CONTEST, emphasises the importance of seeking ways to enhance our ability to prosecute suspected terrorists. The UK has, for example, commenced in July 2012 the post-charge questioning powers in the Counter-Terrorism Act 2008 which may assist prosecutors. As for all of the UK's counter-terrorism powers, there are robust safeguards to ensure that they are only used where necessary and proportionate and in accordance with our international human rights obligations.</p>
<p><b>110.126</b></p> <p><b>Investigate all cases of violations of human rights in all counter-terrorism settings related to lengthy secret detentions, extraordinary renditions, and the possible application of torture against individuals,</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p><i>See recommendation 110.84</i></p>

<p><b>and bring those responsible of such violations to justice (Belarus)</b></p>	
<p><b>110.127</b></p> <p><b>Apply, without exception, the time limit for detention of persons suspected of terrorism stipulated in the Protection of Freedoms Bill, including cases of administrative detention in emergency situations (Switzerland)</b></p>	<p>The recommendation <b>does not enjoy</b> the support of the United Kingdom.</p> <p>The UK Government considers that its legislative framework for the detention of terrorist suspects before they are released or charged is necessary and proportionate. It has strong statutory judicial safeguards and is compliant with our domestic and international legal obligations. The UK Government has, through the Protection of Freedoms Act 2012, reduced the maximum period that a terrorist suspect can be detained from 28 to 14 days. The UK's review of counter-terrorism and security powers that reported in January 2011 found that there may be rare cases where a longer period of detention than 14 days may be required and those cases may have significant repercussions for national security. For that reason, emergency legislation extending the period of pre-charge detention to 28 days is available in order to deal with an exceptional scenario when more than 14 days is required. Parliament would have to agree to pass the emergency legislation before it could be used and, as for all pre-charge detention, it would be a matter for the courts to decide whether extended detention was necessary and proportionate.</p>
<p><b>110.128</b></p> <p><b>Ensure that all persons detained, also in terrorism-related cases, have access to legal counsel and are duly informed about the charges that are brought against them (Austria)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK considers that the legislative framework for the detention of terrorist suspects before they are released or charged has strong safeguards, including ensuring that suspects have access to legal advice and that the suspect is told what offences they are suspected of committing. The compatibility of Schedule 8 of the Terrorism Act 2000 with the ECHR was recently upheld in the Sultan Sher and Colin Duffy court cases.</p>
<p><b>110.129</b></p> <p><b>Continue its financial commitment to international development through its</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p>

<p><b>overseas development assistance programmes (Trinidad and Tobago)</b></p>	<p>The UK Government is strongly committed to international development. We have set out how we will meet our target of spending 0.7% of gross national income on overseas development assistance from December 2013 - the first G8 country to do so. The UK will also enshrine in law a duty to meet the 0.7% target in 2013 and in each subsequent calendar year.</p> <p><i>Scotland</i></p> <p>The Scottish Government continue to support international development which is evidenced through its £9 million International Development Fund. Since the launch of its refreshed International Development Policy in 2008, the Scottish Government have focused its development programmes to be more strategic and sustainable, and to encourage close partnership working to meet the needs and priorities of developing countries. All its work across its priority countries is clearly focused on the key objective of poverty alleviation and the achievement of the Millennium Development Goals and must adhere to the principles of the Paris Declaration on Aid Effectiveness.</p> <p><i>Wales</i></p> <p>The Welsh Government, through its £900,000 Wales for Africa programme, seeks to encourage more people in Wales to make an increasingly effective contribution to international development. This spending is recorded and reported by the UK Government as a part of official UK ODA.</p>
<p><b>110.130</b></p> <p><b>Consider contributing to the objective of mainstreaming the right to development in its ODA programmes and policies (Bangladesh)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK directly supports fulfilment of the right to development through our support on a range of civil, political, social and economic rights – for example, supporting millions of children (particularly girls) through primary and secondary school; providing people with access to clean water and sanitation; saving lives of children and of women in childbirth and preventing diseases; and helping people (particularly women) prosper through rights to land. The UK also supports the enabling environment in which states can realise their obligations and enabling all citizens to claim their rights – for example, through supporting open and accountable government, and</p>

	<p>enabling people to hold decision makers to account.</p> <p><i>Scotland</i></p> <p><i>See response to recommendation 110.129</i></p> <p><i>Wales</i></p> <p><i>See response to recommendation 110.129</i></p>
<p><b>110.131</b></p> <p><b>Play an effective role to operationalize the right to development at the international level (Pakistan)</b></p>	<p>The recommendation <b>enjoys</b> the support of the United Kingdom.</p> <p>The UK remains fully committed to supporting development and to realising the Millennium Development Goals. We directly support fulfilment of human rights through 28 priority country programmes. While recognising that the primary responsibility for the promotion and protection of all human rights, including the right to development, lies with the State, we will continue our efforts to ensure the right to development is properly operationalised at the international level.</p> <p><i>Scotland</i></p> <p><i>See response to recommendation 110.129</i></p>
<p><b>110.132</b></p> <p><b>Set up a mechanism to carry out the repatriation of funds of illicit origin and illegally acquired assets to their countries of origin and to ensure cooperation with the requesting states (Egypt)</b></p>	<p>The UK believes that this recommendation falls outside the ambit of the Universal Periodic Review, which was developed to review States' fulfilment of their obligations under international human rights treaties, human rights standards and voluntary commitments on human rights.</p>