

## DRAFT

### 27th session of the Universal Periodic Review (1 – 12 May 2017)

#### Statement by Ireland on the review of Tunisia

2 May 2017

Ireland welcomes the delegation of Tunisia and thanks it for its national report and presentation today.

We commend Tunisia for its strong engagement with the UN human rights mechanisms, including its standing invitation to the Special Procedures and acceptance of 10 visits since the last cycle. We further commend Tunisia for its UPR engagement, including submission of a mid-term review and civil society consultations in preparation for this review. Tunisia's leadership role at the Human Rights Council on 5 resolutions is also deeply appreciated.

We urge Tunisia to make further progress through lifting its declaration on the Convention on the Elimination of Discrimination against Women and ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

Ireland acknowledges the challenge posed by the security situation as well as the complexity of the continuing reform process underway, including aligning legislation with the 2014 Constitution. The extensive training of officials in a range of areas already undertaken is positive in this regard.

However we are concerned that the death penalty remains lawful in Tunisia, despite the de facto moratorium in place since 1991 and that prison treatment of persons condemned to death has improved. We note the 12 previous UPR recommendations in this regard. We **recommend** that the Government of Tunisia facilitate a public debate on the question of the death penalty, with input from the Human Rights Commission, other relevant constitutional bodies and civil society actors, with a view to achieving ratification of the Second Optional Protocol to the ICCPR and implementation of its provisions in national law through abolition of the death penalty.

Finally, Ireland is deeply concerned at the persistence of violence and discrimination against LGBTI persons, including the criminalisation of consensual same-sex relations. Ireland **recommends** that Tunisia immediately cease the practice of forced anal examinations of LGBTI persons, contrary to its obligations under the Convention against Torture; develop and implement public awareness programmes to address stigmatisation of LGBTI persons; repeal article 230 of the Criminal Code so as to decriminalise consensual same-sex relations; and take all necessary measures to prevent, investigate and prosecute violence against LGBTI persons.

Thank you