



# General Assembly

Distr.: General  
21 June 2019  
English  
Original: French

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**Human Rights Council**  
**Forty-first session**  
24 June–12 July 2019  
Agenda item 6  
**Universal periodic review**

## **Report of the Working Group on the Universal Periodic Review\***

**Comoros**

**Addendum**

**Views on conclusions and/or recommendations, voluntary commitments  
and replies presented by the State under review**

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\* The present document was not edited before being sent to the United Nations translation services.



1. In accordance with the established procedure for the final adoption of national reports on human rights, the Union of the Comoros has the honour to submit its position on the relevant recommendations made at the previous session in the course of its universal periodic review.
2. The Comoros renews the commitments it made at that session to take sustainable and institutionalized steps to ensure, insofar as possible, the full enjoyment of all human rights, as set out by the Human Rights Council and by all other international and regional bodies dealing with this important matter.
3. As reflected in the report on its third periodic review (A/HRC/41/12), the Comoros received 177 recommendations; it accepted 163 of these and needed to state its position on 14, namely recommendations **119.1, 119.2, 119.3, 119.4, 119.5, 119.6, 119.7, 119.8, 119.9, 119.10, 119.11, 119.12, 119.13 and 119.14.**
4. After an in-depth examination of the 14 recommendations for which the Government requested time for consideration, the Comoros hereby has the honour to convey its position on each of the 14 recommendations.
5. **Recommendation 119.1** advocates abolishing the death penalty and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights.
6. The Government of the Comoros is opposed to the death penalty. It has begun the process of abolition, by adding provisions to that end in the new draft Criminal Code submitted to the Assembly of the Union. It will now be necessary to convince the Assembly members, the majority of whom have so far been against abolition.
7. However, the delegation wishes to stress that the use of the death penalty in the Comoros remains exceptional. Since independence was gained in 1975, it has only been carried out three times and has not been carried out at all since 2009.
8. Owing to the hostility of the majority of parliamentarians and the general population, however, **the Comoros notes recommendation 119.1.**
9. **Recommendations 119.2, 119.3, 119.4, 119.5 and 119.6** deal with all forms of discrimination based on gender or sexual orientation (Chile, Iceland, Spain, Australia, Honduras).
10. The Comoros continues to consider that this is a private matter for individuals. Furthermore, there have been no reported cases of violence or discrimination based on sexual orientation or gender.
11. **The Comoros notes recommendations 119.2, 119.3, 119.4, 119.5 and 119.6.**
12. **Recommendations 119.7 and 119.8** advocate putting in place measures to better protect people of all religions and beliefs and allow them to practise their faith openly without any risk of discrimination (Canada, Italy).
13. On this question, the delegation reaffirms that the Comorian people, in accordance with the Constitution, adhere to and are devotees of the Shafi'i school of Islam, which is the foundation of social cohesion and identity.
14. This reaffirmation is partly explained by the appearance of insidious and very active forms of proselytism, a new phenomenon that threatens the fragile structural stability of the young Comorian State and that risks endangering the social and religious harmony that has always prevailed in the Comoros.
15. Like Comorian society, the Islam practised in the country is very tolerant and that heritage must be preserved.
16. **For the time being, the Comoros notes these recommendations from Canada and Italy.**
17. **Recommendations 119.9, 119.10, 119.11 and 119.13** deal with the prohibition of corporal punishment of children in all settings by enacting legislation for that purpose.
18. The delegation of the Comoros was very surprised by the focus placed on this issue through the numerous recommendations received, since the issue does not appear to pose

any particular problems in the country. Nonetheless, the authorities decided to examine the question.

19. In general, families, and especially Qur'anic teachers, consider such punishment to be essential and beneficial in raising children. In the past, this violence could take extremely traumatic forms. Today, however, many families no longer accept the excesses that they themselves endured in Qur'anic schools.

20. In addition, research in educational psychology has shown the harmful effects of corporal punishment on children's psychosocial development.

21. The authorities of the Comoros accept this. However, before legislating on the issue, they consider it necessary to begin with a mass education campaign to raise awareness in stakeholders and help them understand the need to ban the corporal punishment of children.

22. Pending the results of these awareness-raising measures, **the Government notes recommendations 119.9, 119.10, 119.11 and 119.13**, made by Chile, Croatia, Namibia and Uruguay.

23. **Recommendation 119.12** seeks to enforce labour laws and implement programmes to eliminate trafficking in persons, including forced child labour.

24. The delegation of the Comoros was surprised by the focus placed on this issue, given that in the country itself there is no sign of this concern either in practice or in public opinion or on the part of human rights organizations.

25. However, the delegation had reported some, fortunately isolated, phenomena that do still occur in the country and that are doubtless the cause of these responses. These include children being placed in foster families who are known to the children's parents and who sometimes exploit the children in their care.

26. Children can also still be seen selling confectionery and peanuts on city streets. These children, who continue to attend school, work for their parents and thus contribute to reducing the burden on families living in very precarious conditions. In rural areas, children help with farm work, for the same reasons.

27. The Government is not aware of any children employed outside the family setting, and certainly not of children being forced to work.

28. The Government ratified the Convention on the Rights of the Child to ensure this does not happen.

29. In 2015, the Government enacted a law against trafficking in persons.

30. The Government considers that it is by combating severe poverty that these practices can finally be ended, and is deeply committed to this approach, which has shown encouraging results.

31. In this regard, the Comoros has initiated the process to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The draft text has already passed the committee stage in the Assembly of the Union and will soon be submitted to a vote by the Assembly members.

32. Furthermore, the new Criminal Code of the Comoros, already adopted by the Assembly members and awaiting enactment, has an entire chapter dedicated to the issue, Chapter XVI, entitled "Offences related to transnational organized crime, including trafficking in persons".

33. The penalties stipulated in the new Code are harsher than those in the current Code.

34. The new Criminal Code is compatible with the applicable international legal instruments.

35. A working group on the issue of trafficking in persons has also been established (Order No. 16-011/MIREX/CAB, amending certain provisions of order No. 13-026/MIREX/CAB of 21 August 2013 on the establishment of a working group on the letter of commitment on combating trafficking in persons).

36. The creation of the working group demonstrates the Government's willingness to take all necessary measures to prevent and suppress all practices of trafficking in persons.
37. This means that the Government shares the concerns raised and accepts the recommendations made by the United States of America, including those related to trafficking in persons.
38. **The Comoros therefore accepts recommendation 119.12.**
39. **Recommendation 119.14** deals with early marriages and genital mutilation.
40. In accordance with the provisions of article 19 of the Constitution of 23 December 2001, the Assembly of the Union deliberated on and adopted the Family Code Act, which expressly prohibits early marriage.
41. Article 8 provides that betrothal results from a solemn promise of marriage made with mutual consent by a man and a woman of at least 18 years of age.
42. Article 14 provides that no one under the age of 18 years may enter into marriage.
43. However, under article 15, the judge performing the marriage ceremony may grant exemptions from the age requirement for serious and legitimate reasons if both the future spouses consent.
44. Therefore, **the Government accepts recommendation 119.14** made by Rwanda.
45. It should be noted that the practice of female genital mutilation does not exist in the Comoros.

## Conclusion

46. All the recommendations received have been carefully examined. This has enabled the authorities to recognize the importance of some aspects of human rights that they had previously considered secondary or even marginal.
47. The Government has taken a significant step forward in accepting recommendations that will require major awareness-raising and educational efforts before they can be accepted by a rather conservative population.
48. The Government hopes to return for its next universal periodic review with results that meet its own and the Human Rights Council's expectations.
49. However, as has already been stated, the Comoros is counting on international cooperation to implement some of the recommendations it has accepted. We would like to express our gratitude in advance to our current and future partners.
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