CHARLES UNIVERSITY

FACULTY OF SOCIAL SCIENCES

Institute of Political Studies

Department of International Relations

States' Compliance with Human Rights Provisions and Recommendations Stemming from UN Human Rights Mechanisms

2023 **Zdeněk Nevřivý**

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Master's thesis

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Year of the defence: 2023

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2. I hereby declare that my thesis has not been used to gain any other academic title.
3. I fully agree to my work being used for study and scientific purposes.

In Prague on 1 May 2023 Mgr. Bc. Zdeněk Nevřivý

References

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Abstract

The master's thesis examines states' compliance with the UPR and UN treaty bodies by exploring pre-selected factors influencing states' compliance with human rights provisions and recommendations stemming from UN human rights mechanisms over ten years (2011-2021). The first two parts describe UN human rights mechanisms and include a literature review that provides an overview of sources focusing on the UN treaty body system and the UPR. Findings from the literature review are used to define the two opposing theories: rationalist theory and theory emphasizing states' administrative capacities and two complementing theories. Based on these theories, four hypotheses are formulated and operationalized to perform four case studies focused on the Netherlands, South Africa, Bahrain, and Honduras. Recommendations given to states are assessed from the perspective of human rights provision or recommendation *per se* by two sets of criteria for the UPR and UN treaty bodies. To indicate the level of compliance, assessments are assigned with five values. Afterward, findings are interpreted to answer the research question, verify, or refute hypotheses, and compare states' compliance with human rights provisions and recommendations stemming from UN human rights mechanisms.

Abstrakt

Diplomová práce zkoumá úroveň dodržování lidskoprávních ustanovení a doporučení plynoucích z lidskoprávních mechanismů OSN ze strany států v průběhu deseti let (2011-2021), a to na základě předem vybraných faktorů, které dodržování ovlivňují. První dvě části popisují lidskoprávní mechanismy OSN a rovněž i zahrnují přehled literatury zaměřené na smluvní kontrolních mechanismy OSN a Univerzální periodický přezkum. Poznatky z přehledu literatury jsou následně využity k definování dvou oponujících si teorií: teorie racionalismu a teorie zdůrazňující administrativní kapacity a následně i dvou doplňkových teorií. Na základě těchto teorií jsou formulovány a operacionalizovány čtyři hypotézy pro účely provedení čtyř případových studií vztahujících se k Nizozemsku, Jižní Africe, Bahrajnu a Hondurasu. Doporučení udělená těmto státům jsou hodnocena z hlediska lidskoprávních ustanovení či samotných doporučení skrze dva soubory kritérií zaměřených na Univerzální periodický přezkum a smluvní kontrolní mechanismy OSN. K určení míry dodržování je stanoveno pět hodnot, které jsou přiřazeny k jednotlivým hodnocením. Následná zjištění jsou interpretována za účelem zodpovězení výzkumné otázky a potvrzení

či vyvrácení stanovených hypotéz a rovněž i k porovnání dodržování lidskoprávní ustanovení a doporučení plynoucích z lidskoprávních mechanismů OSN.

Keywords

United Nations Human Rights Mechanisms, Universal Periodic Review, United Nations Human Rights Treaty Bodies, human rights provisions, recommendations, human rights

Klíčová slova

Lidskoprávní mechanismy OSN, Univerzální periodický přezkum, smluvní kontrolní mechanismy OSN, lidskoprávní ustanovení, doporučení, lidská práva

Název práce

Dodržování lidskoprávních ustanovení a doporučení plynoucích z lidskoprávních mechanismů OSN ze strany států

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Table of Contents

Abbreviations

UN	United Nations
UDHR	Universal Declaration of Human Rights
HRC	Human Rights Council
UPR	Universal Periodic Review
VCLT	Vienna Convention on the Law of Treaties
NGO	non-governmental organization
CAT	Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
CAT-OP	Optional Protocol of the Convention against Torture
CCPR	International Covenant on Civil and Political Rights
CCPR-OP1	Optional Protocol to the International Covenant on Civil and Political Rights
CCPR-OP2-DP	Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty
CED	Convention for the Protection of All Persons from Enforced Disappearance
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEDAW-OP	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
CERD	International Convention on the Elimination of All Forms of Racial Discrimination
CESCR	International Covenant on Economic, Social and Cultural Rights
CESCR-OP	Optional protocol to the International Covenant on Economic, Social and Cultural Rights
CMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRC	Convention on the Rights of the Child
CRC-OP-AC	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

CRC-OP-SC	Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography
CRC-OP-IC	Optional Protocol to the Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CRPD-OP	Optional protocol to the Convention on the Rights of Persons with Disabilities
ECOSOC	United Nations Economic and Social Council
CHR	UN Commission on Human Rights
IR	international relations
EU	European Union
NHRI	National Human Rights Institution
ENNHRI	European Network of National Human Rights Institutions
ILO	International Labor Organization
ESC	economic, social, and cultural
OHCHR	Office of the High Commissioner for Human Rights
SAHRC	South African Human Rights Commission
HRW	Human Rights Watch
BICI	Bahrain Commission of Inquiry
BIRD	Bahrain Institute for Rights and Democracy

Introduction

Human rights have been considered a fundamental part of international governance for decades. The dreadful experience of two consecutive world wars in the first part of the 20th century entirely changed the perception of international cooperation. The creation of the universal organization, the United Nations (UN), already incorporated the promotion of human rights from conception.[1] The Universal Declaration of Human Rights (UDHR) officially commenced the foremost, universal international human rights regime. The non-binding UDHR was later complemented by a series of established and binding international human rights treaties covering various fields of human rights. Surprisingly, seven of all nine UN human rights treaties were adopted between the years 1966 to 1990 during the Cold War era. All nine treaties comprise human rights treaty bodies established to monitor the implementation of UN human rights treaties in states that ratified respective provisions. The influx of human rights mechanisms ended in 2006 when the last UN human rights treaty was adopted.[2] Additionally, the new Human Rights Council (HRC) and an innovative Universal Periodic Review (UPR) were created. From the formal way of view, the UN human rights regime has reached its peak. We have attained the ideal requirements for effective human rights monitoring accompanied by constant human rights improvements among most states.

Nevertheless, the truth is very far from the ideal outcome. According to the Freedom House, in 2021 the world witnessed the 16th consecutive year of decline in global freedom (Freedom in the World 2022: 2). Curiously, the start of the decline corresponds with the year when the world reached the peak in the number of UN human rights treaties. According to the preceding report, 75% of the world's population lives in a country that faces deterioration of freedoms (Freedom in the World 2021). Democracy Index from 2021 gives similar joyless results as the annual democracy index from 2021 dropped down the most since 2010, and more than 50% of the world's population now lives in a non-democratic regime (Democracy Index 2022). Additionally, the so-called Western world, dominated by the United States (US), created the UN human rights regime more than 70 years ago. With the emergence of new powers such as China, Brazil, or India, the current international regime, including the UN human rights regime, is under attack, or emerging states overtly

[1] E.g., art. 1(3) of the UN Charter
[2] Except for the two optional protocols complementing UN human rights treaties.

disagree and are actively calling for modifications (e.g., Hopewell 2014). Therefore, the pivotal question needs to be raised. Does the UN international human rights regime serve its purpose, and how does it operate? At first sight, it seems that participation in human rights mechanisms may not have been enough to promote and increase human rights among states.

However, human rights are generally under high scrutiny, including the International Relations (IR) perspective. Significant research contributions focus on identifying the strengths and weaknesses of UN human rights mechanisms and proposed solutions for possible reform (e.g., Bassiouni and Schabas 2011). Such articles assess the impact of the UN human rights mechanism, quality of participation, willingness to commit to human rights and to human rights treaties, or the capacity to implement human rights treaties (e.g., Hathaway 2007). Although, researches in the majority address only one particular mechanism (e.g., Creamer and Simmons 2015). Therefore, this thesis examines states' compliance with both UN human rights mechanisms: the UPR and UN treaty bodies from the perspective of human rights provisions and recommendations. Since the author is interested in determining whether and to what extent states follow human rights provisions and recommendations stemming from UN human rights mechanisms, the thesis explores factors that influencing states' compliance with human rights provisions and recommendations over the ten years (2011-2021). While using primarily rationalist theory and theory emphasizing states' administrative capacities, this thesis assesses compliance of four randomly chosen states grouped under a specified formula with outcomes stemming from UN human rights mechanisms and compares results between four states. The result may help to find answers which factors lead to better state compliance with human rights provisions and recommendations stemming from UN human rights mechanisms.

This thesis is divided into six chapters. In the initial chapter, UN treaty bodies, UPR and their operations are described. Afterward, the theoretical and methodological framework part follows. This chapter comprises the literature review, the conceptual and theoretical part where research questions and hypotheses are formulated, and of part focusing on data and analytical techniques. Finally, separate case studies of the four chosen states follow. Each case study includes an analysis of the state's human rights compliance with human rights provisions and recommendations stemming from UN human rights mechanisms and a partial conclusion.

1. UN Human Rights Treaty Bodies and the UPR

The aim of this thesis is to analyze states' compliance with UN human rights mechanisms. UN human rights mechanisms are part of the UN human rights protection system (or UN human rights regime) and they can be divided into two groups: treaty-based mechanisms and charter-based mechanisms (Instruments and mechanisms 2023). To comprehensively assess states' compliance with UN human rights mechanisms, this thesis focuses on both groups as both operate under different regimes and outcomes. Treaty-based mechanisms are established separately by individual UN human rights treaties; however, the UPR was founded together with the Human Rights Council by the resolution of the UN General Assembly. Therefore, this section is devoted to the description of their operations and specificities.

1.1 Treaty Bodies

The idea of UN human rights treaties derives from the UDHR and the necessity to develop binding international treaties which states must obey. Even though this thesis does not intend to focus on the legal aspect of an international treaty, the regime of international treaties affects the operation of the UN human rights regime, as it is the core element of the UN treaty body system. It is exclusively the state who can decide whether it will accede to the treaty. According to international law and the Vienna Convention on the Law of Treaties (VCLT), the state must ratify the treaty to be fully binding for the state. Nevertheless, the VCLT sustains the possibility that a signed treaty would not signify the state would obey respective provisions. Additionally, the adoption of a treaty by the UN usually does not anticipate that a treaty will enter into force as a certain number of ratifications are required. Despite the fact that the treaty is ratified and has already entered into force, the state can always limit the extent of obligations by making reservations, which can significantly reduce the treaty's impact on human rights. Finally, enforcement of obligations stemming from international treaties is minimal. Concerning the UN human rights treaties, a state violating provisions from even ratified treaties cannot be easily punished as the UN does not possess coercive power towards the UN human rights treaties. In conclusion, each state's willingness to volunteer to ratify the treaty, the possibility to raise reservations, and the character of international law constitute boundary lines for the effective operation of the UN treaty bodies.

Until now, nine UN human rights treaties have been adopted. Even though all of them have the same legal status, the content and importance differ. Primarily, the International Covenant on Civil and Political Rights (CCPR) and International Covenant on Economic, Social and Cultural Rights (CESCR) are informally ranked higher than others as they are referred to as the International Bill of Human Rights (The United Nations Human Rights Treaty System 2012: 6-7). Both derive from the UDHR but they are built on different principles. The CCPR expects immediate realization of provisions; the CESCR allows progressive realization due to financial constraints. The rest of the UN human rights treaties develop these two covenants while focusing on specific human rights aspects (torture, women, discrimination, migrants, etc.). Although UN human rights treaties are formally considered separate instruments, they complement each other and should be understood as one complex human rights protection system. Therefore, the UN calls on all states to ratify all UN human rights treaties (The United Nations Human Rights Treaty System 2012: 1-3). Still, it must be noted that they do not represent a complete and definitive catalog of human rights or the state's human rights obligations. In addition, UN human rights treaties are usually complemented by optional protocols (formally also international treaty) that enlarge treaties from a substantial or procedural perspective. For example, the Convention on the Rights of the Child (CRC) is complemented by two optional protocols aiming to abolish the involvement of children in armed conflict and the second to eradicate child prostitution and pornography. At the same time, the CRC is complemented by one optional protocol on a communication procedure.

Concerning the procedural aspects, there are similarities and differences among all UN human rights treaties. Almost all treaties established at least one treaty body composed of independent experts to monitor the execution of the treaty by state parties (The United Nations Human Rights Treaty System 2012: 23). Almost all treaty bodies receive and evaluate periodical reports submitted by state parties. The review of reports by the treaty bodies is considered the key component of the UN treaty body system (The United Nations Human Rights Treaty System 2012: 21-30). Generally, each state party is obliged to deliver the initial report. Afterward, state parties submit periodic reports under treaty-stipulated periods. However, it is not only a state party that delivers reports; national (state) agencies, human rights NGOs, etc., are invited to do so as well. After the treaty body receives all submissions, the consideration of the report follows, including the constructive dialogue between the treaty body and the state party. Concluding observations and recommendations

are considered significant outcomes of the evaluation procedure. The state should implement concluding observations and submit the following report on the due date. However, the treaty body does not have any power to enforce recommendations or coerce the state party to submit the report. Although consideration of reports is the standard mechanism in every UN human right treaty, each treaty establishes additional mechanisms that are either included directly in the treaty or by optional protocol supplementing the UN human rights treaty. Therefore, state parties can decide whether to accede to these instruments. They consist of individual petitions, inquiries, requests of urgent action, and appeals and inter-state communications (The United Nations Human Rights Treaty System 2012: 30-39).

Table 1				
Treaty	**Adoption**	**Entry to force**	**Treaty body**	**Monitoring mechanisms**
CAT	1984	1987	Committee against Torture	reports, inter-state complaints, individual petitions, inquiry procedure
CAT-OP	2002	2006	Subcommittee on Prevention of Torture	regular visits
CCPR	1966	1976	Human Rights Committee	reports, inter-state complaints
CCPR-OP1	1966	1976		individual petitions
CCPR-OP2-DP	1989	1991		
CED	2006	2010	Committee on Enforced Disappearances	reports, inter-state complaints, individual petitions
CEDAW	1979	1981	Committee on the Elimination of Discrimination against Women	reports, inter-state complaints
CEDAW-OP	1999	2000		individual petitions, inquiry procedure
CERD	1965	1969	Committee on the Elimination of Racial Discrimination	reports, inter-state complaints, individual petitions
CESCR	1966	1976	Committee on Economic, Social and Cultural Rights[3]	reports
CESCR-OP	2008	2013		individual petitions, inter-state complaints, inquiry procedure
CMW	1990	2003	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	reports, individual petitions, inter-state complaints
CRC	1989	1990	Committee on the Rights of the Child	reports
CRC-OP-AC	2000	2002		reports
CRC-OP-SC	2000	2002		reports
CRC-OP-IC	2011	2014		individual petitions, inter-state complaints, inquiry procedure
CRPD	2006	2008	Committee on the Rights of Persons with Disabilities	reports
CRPD-OP	2006	2008		individual petitions, inquiry procedure
Source: UN Human Rights and UN Treaty Collection				

[3] The Committee was established under ECOSOC Resolution 1985/17 of 28 May 1985 to carry out the monitoring functions assigned to the United Nations Economic and Social Council (ECOSOC) in Part IV of the CESCR.

1.2 UPR

The Universal Periodic Mechanism (UPR) was established together with the Human Rights Council (HRC) in 2006. The HRC replaced the UN Commission on Human Rights (CHR), a subsidiary body of the UN Economic and Social Council, with the aim to reform the former UN human rights regime which was considered to be politicized and selective. Therefore, the UN General Assembly adopted a resolution by which the HRC, an intergovernmental body within the UN system, was created. [4] The HRC is not in contrast to the CHR, a subsidiary body to the different UN bodies. The HRC's member state should be only a state that obeys at minimum the elementary human rights. Additionally, the membership may be suspended in case of grievous human rights violations.[5] Nevertheless, the HRC is still an intergovernmental body that adopts only non-binding resolutions. To surpass this deficit, the UN created a new innovative mechanism: the UPR.

The UPR is a peer-review mechanism where a recommending state gives a state under review recommendations during the interactive dialogue. Above all, the state under review does not have to be bound by any UN treaty and does not have to cooperate with the HRC but still receives recommendations. Furthermore, the recommending state can freely decide which state will receive its recommendation and recommendations can derive from any human rights obligation, even non-binding ones. Nevertheless, recommendations are non-binding; therefore, the state under review does not have to follow recommendations and there is no enforcing mechanism.

Concerning the UPR operation, each UN member must be reviewed once in the UPR cycle.[6] The first cycle started in 2008 and until now 3 cycles were completed (United Nations Human Rights Council 2023). Currently, the fourth cycle is under process. Generally, the three UPR working sessions organized by the HRC are conducted per year. The state under review can receive recommendations from HRC member states (47) as well as other UN members. Before the interactive dialogue, each state under review should submit a national report where the level of human rights from the perspective of the state under review is described. The UN also presents its human rights evaluation. Furthermore, stakeholders

[4] UN General Assembly resolution A/RES/60/251 from 3 April 2006
[5] Art. 8 of the UN General Assembly resolution A/RES/60/251 from 3 April 2006
[6] The complete process is described in the HRC resolution 5/1 Institution-building of the United Nations Human Rights Council adopted 18 June 2007 which was amended by HRC resolution A/HRC/RES/16/21 Review of the work and functioning of the Human Rights Council adopted 12 April 2011.

such as national human rights institutions and NGOs can submit their own reports. Afterword, the interactive dialogue follows. Generally, the dialogue is conducted in person and recommending states ask the state under review questions concerning human rights situation in the state under review then responds. The outcome of each dialogue is presented in a report on behalf of the working group. The report comprises all recommendations given by recommending states. The state under review can express whether each recommendation is accepted or not. However, as it was mentioned above, all recommendations are non-binding. Still, the state under review presents the will to implement accepted recommendations. Finally, the report is formally adopted during the HRC plenary meeting. In the meantime, before another UPR is processed, the state under review is expected to implement all accepted recommendations.

2. Theoretical and methodological framework

2.1. Literature review

A literature review aims to present current literature addressing UN human rights monitoring mechanisms while focusing on common aspects and findings. The conceptual and theoretical framework presented in this thesis will primarily derive from the literature review. Nevertheless, since the literature assessing the impact of UN human rights mechanisms on human rights is extensive, it is not aimed to cover all possible sources but rather to identify common approaches grouped into three categories according to its focus.

2.1.1. Summarizing sources

Firstly, many sources focus on the UN human rights regime, including the UPR and UN treaty body system, while trying to identify gaps and strains in the UN human rights regime or even offering solutions for possible reform. Bassiouni and Schabas collected a very complex book, including a critical assessment of both mechanisms with a focus on progress concerning reporting process, implementation, representativeness, etc. Petr Preclík, who focused on the UN human rights regime in *Lidská práva v mezinárodní politice*, presented a less complex but more comprehensible piece of work. Except for a general overview, he stated that although thanks to the universal character of the UPR, China can be reviewed from the aspect of political and civil rights[7]. But the UPR is not well coordinated with the UN treaty body systems that are formally separated from the UPR (Preclík 2014: 176). Concerning the UN treaty body system, he concluded that voluntary participation (including states that fully ratified the treaty) is the main obstacle to effective operation (Preclík 2014: 178-179). Above all, the whole system is very costly both for the UN and state parties, even treaty bodies do not coordinate its operation well, and state parties often fail to report in due time. He mentioned an attempt to create one global institution covering all UN treaty bodies; however, this attempt failed altogether with other suggested reforms (Preclík 2014: 180-181). Navanethem Pillay, in his text *Strengthening the United Nations human rights treaty body system*, reached a very similar conclusion with Preclík as only 16 % of the reports required by treaties were submitted in due time. Surprisingly even *The overview of the current UN treaty body system prepared under the Office of the UN High Commissioner*

[7] China still needs to ratify the CCPR; therefore, the UPR is the only possibility of how China can be assessed in political and civil rights.

for Human Rights mentions similar conclusions and added that treaty bodies have limited capacity to cope with all reports and other procedures. In her research *Promoting Compliance with Human Rights: The Performance of the United Nation's Universal Periodic Review and treaty bodies*, Valentina Carraro adopted a different approach as she purposefully compared both human rights mechanisms. Concerning the treaty bodies, she concluded that they offer accurate and detailed overviews of states' internal situations, while the UPR mainly creates peer and public pressure on states (Carraro 2019: 1083-1085). Finally, Sameer Rana solely assessed the UPR while he depicted strengths and challenges. Among its strengths, he named universality, peer-to-peer system, and involvement of different stakeholders (Rana 2015: 23-29). The superficiality, politicization, and non-binding nature are the main weaknesses of the UPR (Rana 2015: 29-38).

To conclude, IR scholars with the UN could agree on the strengths and weaknesses of the UN human rights regime; however, the UPR and the UN treaty body system differ in their operations. Also, the regime urgently needs reform as weaknesses are significant, but more complex reform has yet to be adopted.

2.1.2. The UN treaty body system

The largest category comprises articles assessing the impact of the UN treaty body system. Yvonne M. Dutton, in her article *Commitment to International Human Rights Treaties: The Role of Enforcement Mechanisms* aimed to explain why states abuse human rights even though they have ratified an overwhelming number of human rights treaties. She concluded that only human rights treaties with strong enforcement could pose a credible threat, so states take those obligations seriously (Dutton 2012: 54-57). Practically, none of the UN human rights treaty bodies are considered a credible threat to the state, which is why Dutton claims that human rights are abused even though states ratified these treaties. The treaty establishing International Criminal Court is, according to Dutton, the only UN human rights treaty[8] having a strong enforcement mechanism; therefore, if the state ratifies the treaty, there is a high probability of compliance (Dutton 2012: 9). Oona Hathaway, in her article *Why Do Countries Commit to Human Rights Treaties*, applied rationalist theory. She claims that the state's willingness to commit to human rights treaties largely depends on domestic enforcement and the treaty's collateral consequences (Hathaway 2007: 595-598).

[8] Although for the purpose of the thesis, the treaty establishing International Criminal Court (the Rome Statute) is not considered as human rights treaty due to its primarily procedural character.

In other words, compliance with human rights treaties depends on the state's will and interests; therefore, even a democratic state does not necessarily have to comply with human rights obligations if interests conflict. Eric Neumayer, in his article, *Do International Human Rights Treaties Improve Respect for Human Rights?* researched whether human rights treaties improve respect for human rights in states. He did not find any unconditional effects of these treaties on human rights (Neumayer 2005: 950-951). Nevertheless, the improvement can be spotted in states with functional democratic regimes. On the contrary, he found that ratification of human rights treaties in autocratic regimes has zero or even worsening effects (Neumayer 2005: 941). Alternatively, Wade M. Cole, in his article *Mind the Gap* focused on state administrative capacity to implement human rights treaties. He found out that unwillingness to comply is sometimes not strategic but caused by structural incapacity to implement a treaty (Cole 2015: 431-436). Some states do not have enough bureaucratic capacity to follow treaties; therefore, any sanctions (like economic ones) even deteriorate the human rights situation. Cosette D, Creamer, and Beth A. Simmons, in their article *Ratification, Reporting, and Rights: Quality of Participation in the Convention against Torture* tested the quality of states' participation in one UN human rights treaty body (the Committee Against Torture). They determined four variables that can influence the quality of participation: the capacity to report, human rights commitment, imitation, normative pressure, and domestic political pressure (Creamer and Simmons 2015: 588-593). The capacity to report, supplemented by pressure from neighboring countries, was a leading precondition for good-quality participation. Jasper Krommendijk, in his article *The domestic effectiveness of international human rights monitoring in established democracies* employed a different attitude as he already tested the effectiveness (impact) of the treaty bodies. Nevertheless, the specificity was that he chose only the three most established democracies and interviewed government officials involved in these processes. Findings showed that the vast majority of concluding observations made by treaty bodies did not affect the examined countries; however, if yes, domestic actors were the key actors who pushed states to act according to treaty bodies' observations (Krommendijk 2015: 508-509).

As it is apparent, the conclusions of IR scholars diverge. Nevertheless, it seems, between most articles, the state itself is the cause that influences the impact of the UN treaty body system on human rights. The disagreement consists of which aspects of states' actions are the leading ones for the impact of the UN treaty body system on human rights in this state. It can be either state's interests, the state's regime, the state's administrative

capacity, or the state's domestic institutions. The minority found out that external factors, like the character of the treaty or neighboring states, can have a certain impact on the state's compliance with human rights.

2.1.3. The UPR

Literature assessing the impact of the UPR on human rights compliance is less extensive. McMahon and Ascherion in *A Step Ahead in Promoting Human Rights? The Universal Periodic Review of the UN Human Rights Council* did the most complex research about the impact of the UPR. They assessed recommendations at specific timing and classified them into five categories according to the level of action to determine whether the mechanism met the goals (McMahon and Ascherion 2012: 236). They found out that the desired universality was not accomplished as states gathered into groups and exchanged general recommendations they could more easily accept; therefore, the research showed signs of reciprocity and cultural relativism (McMahon and Ascherion 2012: 236-245). Most of the other sources derive or at least are inspired by the McMahon and Ascherion research; however, they focus on one specific aspect of human rights or assess some states' participation in the UPR.

For instance, Gayatri Patel in *How "Universal" Is the United Nations' Universal Periodic Review Process? An Examination of the Discussions Held on Polygamy* decided to investigate if universalism or cultural relativism prevailed during the UPR process while using the specific case of polygamy. He concluded that the UPR meets the universal applicability as all UN members were reviewed during the first two UPR cycles (Patel 2017: 477-479. However, due to the peer-review nature of the UPR, it cannot be refrained from adopting different stances towards polygamy. Therefore, some states adopt a strictly universalist attitude, while others admit that acceptance of polygamy depends on values and beliefs based on the state's culture. It seems that the UPR creates a possibility to be the universal human rights mechanism, but nothing can discourage recommending states or states under review to employ a cultural relativist stance. Furthermore, Monika Heupel *in How do States Perceive Extraterritorial Human Rights Obligations? Insight from the Universal Periodic Review* assessed the states' perception of extraterritorial obligations. Surprisingly, she found out that although human rights extraterritoriality is widely accepted, states consider human rights obligations as negative ones while reluctant to accept positive human rights obligations. Heupel claims that we are transitioning from the previously

prevailing territorial notion of human rights to attain the already proclaimed universality of human rights (Heupel 2018: 534-544).

To complete the figure, Damian Etone or Jonathan T. Chow represents IR scholars focused on assessing the state's participation in the UPR. The former examined Nigeria. He highlighted the cooperative character of the UPR that allows progress in human rights as opposed to a confrontational or coercive approach that results in state resistance and even regression (Etone 2020: 288). However, he confirmed that cultural relativism is a significant limitation of the UPR projecting in rejection of recommendations touching sensitive social-cultural terms (e.g., LGBT field) and regionalism in accepting primarily recommendations from African states (Etone 2020: 296). The latter focused on the particular case of North Korea while examining why this state participated in the UPR while rejecting other human rights mechanisms. He found out that the specific character of the UPR allows North Korea to accept only weak recommendations, which have minimal costs for the state (Chow 2017: 157). North Korea employs a radically state-centric vision of human rights and uses self-reporting as a possibility to frame its human rights status positively. Even though Chow found some positive aspects of North Korea's participation in the UPR, he added that the UPR could not substitute human rights mechanisms with strong investigatory mechanisms (Chow 2017: 159).

Based on the literature review of sources focusing on the UPR, there seems to be a consensus on the benefits of this mechanism consisting of the cooperative and universal character of the UPR. Nevertheless, the universality is attained only in the formal participation of all UN members rather than in accepting the universal character of human rights. Above all, the peer-review character of the UPR cannot fully cover other human rights mechanisms.

2.2. Conceptual and theoretical framework

This diploma thesis examines states' compliance with human rights provisions and recommendations stemming from UN human rights monitoring mechanisms: the UPR and the UN human rights bodies. Specifically, it explores factors influencing states' compliance with human rights provisions and recommendations over the past ten years. Initially, it should be mentioned that this thesis focuses on compliance with the two aspects of UN human rights mechanisms: human rights provisions and recommendations since the author aims to discover compliance from the perspective of human rights obligations

but also from the procedural aspects residing in participation of states in UN human rights mechanisms. Nevertheless, the thesis does not aim to analyze these aspects separately but together because they complement each other. Also, it should be emphasized that the thesis does not aim to provide complex legal compliance analysis as not all data (e.g., national laws) may be accessible. Therefore, a reduction of the focus and extent of the thesis is necessary. That is why we presume that compliance is primarily influenced by pre-selected factors determined by findings from the literature review. Although many articles focused on the impact of UN human rights mechanisms on compliance with human rights, the thesis reduces the extent to assessing compliance with certain outcomes stemming from UN human rights mechanisms (provisions and recommendations). The assessment of the impact of UN human rights mechanisms would demand a very complex research design and accessibility of broader scope of data since not only provisions and recommendations influence the impact of UN human rights mechanisms on states' compliance with human rights (e.g., domestic policy factors). Furthermore, based on the literature review, it is evident that most theories explaining the causes that influence the impact of the UN monitoring mechanisms on human rights relate to the UN treaty body system rather than the UPR. For reduction purposes, we expect that the same factors influence compliance with UPR outcomes. Therefore, one research question can be formulated:

Which factors influence states' compliance with the human rights provisions and recommendations stemming from UN human rights mechanisms?

Corresponding with the literature review outcome, this thesis employs theories that stress internal factors. Specifically, the thesis theoretical framework is based on two opposing theories: rationalist theory and theory emphasizing states' administrative capacities, while additional theories complement them.

2.2.1. Rationalist theory

Initially, it must be mentioned that rationalism is not a substantive theory but rather an axiom in many other theories of international relations (Novelli 2018: 116). In other words, some theories use rationalism as a way to explain states' behavior. Realism is the most typical example of a theory that employs rationalism, as realists consider states as unitary parties within international relations rationally following their interests. However, constructivism also uses rationalism by defining the rational choice theory. It means that states use international relations as a forum to maximize their profits. Surprisingly, even idealism

worked with rationalism at a certain level because they expected that states rationally try to follow a global political order to achieve a so-called common good.

Rationalism is widespread in international relations. Unfortunately, this concept is not adequately explained, or IR scholars perceive rationalism differently. For instance, Hedley Bull defined a rational actor as someone who: "*is acting in a way that is internally consistent and consistent with given goals* (Bull 2002: 101)." The most comprehensive explanation offered by Tsebelis who created a category of weak requirements (internal coherence of preferences and beliefs) and strong requirements (the correspondence of beliefs with reality) (Tsebelis 1990: 24-31). It means a rationalist actor could be a state whose activity corresponds with determined objectives, and they are transformed into reality. A crucial problem remains: how to precisely ascertain the goals behind the state's actions? IR scholars usually overcome this obstacle by applying the paradigm deriving from specific IR theories (e.g., realists employ as a goal of states to survive in an anarchic international environment) (Novelli 2018: 127).

For the purpose of this thesis, Hathaway is the major proponent of rationalism in explaining why states commit to human rights treaties. Her conclusions comply with Tsebelis's explanation of rationalism as she also expects that states, first of all, follow their interests that stem from states' regimes in deciding whether to comply with obligations from human rights treaties. Hathaway claimed that even a democratic state does not necessarily have to comply with human rights obligations if interests conflict (Hathaway 2007: 612-613). Therefore, the most straightforward would be to presume that states' compliance with the provisions/recommendations stemming from UN human rights mechanisms increases when the state generally adheres to human rights. Nevertheless, it would be misleading to measure compliance with human rights while already using some indicators that shows adherence to human rights. That is why the rationalist theory is based on Eric Neumayer who concluded that the most significant effects of human rights treaties were spotted in democratic states (Neumayer 2005: 950). Although he employed different theories than rationalism his outcome may be used as a different perspective than Hathaway's pure rationalism deriving from "raw" states' interests. Therefore, it is expected that the decision whether to comply with human rights provisions/recommendations depends on states' regimes (democracy).

First hypothesis: *States' compliance with the human rights provisions and recommendations stemming from UN human rights mechanisms increases when democracy increases.*

2.2.2. Theory emphasizing states' administrative capacities

The opposing theory emphasizing states' administrative capacities derives from the managerial school of international relations developed by Chayes and Chayes. They concluded non-compliance might not be a deliberate decision based on the state's interests, but we should calculate with other factors (Chayes and Chayes 1993: 176). They recognized three of them. Firstly, it could be due to ambiguity and the indeterminacy of treaty language (Chayes and Chayes 1993: 188-192). This factor tackles that legal language is sometimes unclear, incomplete, or incomprehensible. Secondly, there could be limitations on the capacity of parties to carry out their undertakings, which means states may not be capable of implementing treaties due to financial resources or bureaucratic capability (Chayes and Chayes 1993: 193-195). Thirdly, it could be the temporal dimension of the social and economic changes contemplated by regulatory treaties (Chayes and Chayes 1993: 195-197). In other words, some international treaties focusing on environmental or human rights aspects may take time to be fully implemented due to the factual character of their obligations.

Cole, Creamer, and Simmons concluded that human rights compliance primarily depends on states' capacity or ability to implement treaties or report under all obligations (Cole 2015: 431-436, Creamer and Simmons 2015: 588-593). It means that this thesis focuses only on one factor of Chayes and Chayes analysis: capability. Specifically, the capability is represented by the state's administrative capacity.

Second hypothesis: *States' compliance with the human rights provisions and recommendations stemming from UN human rights mechanisms increases when the administrative capacity is adequately developed*.

2.2.3. Complementary theories

In addition, based on literature reviews, complementary hypotheses are formulated. The first additional hypothesis derives from the theory of transnational advocacy networks applied by Neumayer and Krommendijk (Neumayer 2005: 930-932, Krommendijk 2015: 504-508). It expects that international human rights regimes can improve performance where these networks are robust. These transnational networks create pressure on the state domestic institutions, which results in either ratification of human rights treaties or human rights compliance. Finally, constant pressure is expected to lead to institutionalization and the state's adherence to human rights.

Third hypothesis: *States' compliance with the human rights provisions and recommendations stemming from UN human rights mechanisms increases when the influence of human rights advocacy networks in a particular state is greater.*

Furthermore, Creamer and Simmons identified that the character of neighboring countries could influence the quality of participation in human rights bodies (Creamer and Simmons 2015: 588-593). Furthermore, they confirmed that if neighboring states respect human rights, the effect is positive and vice versa. They called this process imitation. States tend to follow the actions of other states in the region.

Fourth hypothesis: *States' compliance with the human rights provisions and recommendations stemming from UN human rights treaties increases if the assessed state is surrounded by states that respect human rights.*

2.3. Methodology

The diploma thesis is a qualitative, explanatory multiple-case study seeking to explain which factors influence states' compliance with human rights provisions and recommendations stemming from UN human rights mechanisms.

2.3.1. Operationalization

To respond to the two above-formulated research questions, which aim to discover which factors influence states' compliance with human rights provisions and recommendations, the author focuses on verifying or disproving four hypotheses. Therefore, identified factors in hypotheses must be operationalized.

A. State

Every UN member state (currently 193 member states) is considered as a state. The reason is that this thesis focuses exclusively on the UN human rights regime; therefore, the generalization complies with the purpose of the thesis.

B. Recommendations of UN human rights bodies

Recommendations are recommendations given during the UPR by recommending states to the states under review or recommendations given by the UN treaty body to the state party during the report assessment.

C. Human rights provision

Human rights provision is every provision stemming from UN human rights treaties that aim to guarantee individuals' rights. That is why all recommendations from the UN treaty bodies

directly connect to human rights provisions. In the case of UPR recommendations, we create a fiction as we presume that all UPR recommendations stem from UN human rights treaties, although, *de jure*, they are not, in essence, connected with any of the UN human rights treaties. However, some recommendations refer to obligations stemming from UN human rights treaties.

D. Level of democracy

The level of democracy is measured according to the Democracy Index developed by the Economist Intelligence Unit. The Democracy Index, published annually, compares 165 states according to their electoral process and pluralism, the functioning of government, political participation, political culture, and civil liberties (Democracy Index 2022: 67-79). States are grouped into four categories: full democracies, flawed democracies, hybrid regimes, and authoritarian regimes, and are assigned an overall score from 0 (lowest) to 10 (highest). For the state selection in the thesis, we consider states grouped under full democracies and flawed democracies as democratic states and states grouped under hybrid and authoritarian regimes as non-democratic states.

E. Administrative capacity

Administrative capacity is measured by using the government effectiveness index, which is one of six Worldwide Governance Indicators provided by the World Bank. The government effectiveness index: "*reflects perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies*." (WGIDATASET: 2023). Furthermore, this index compared 209 states and territories in 2021 and has been published annually since 1996. The government index does not group countries; therefore, we establish that countries with estimates below 0 are considered as having low administrative capacities and above 0 as having high administrative capacities. For the state selection in this thesis, we employ percentile ranks among all countries that range from 0 (lowest) to 100 (highest).

F. Human rights advocacy networks

The influence of human rights advocacy networks is primarily assessed by using evaluation from Freedom House reports where the operation of human rights NGOs is explored.[9] Nevertheless, freedom of operation does not necessarily mean they are active; therefore,

[9] Specifically: „*Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? "*

the thesis also uses secondary sources to assess the importance of human rights advocacy networks in states.

G. Neighboring states respecting human rights

The respect of all neighboring states of selected states is assessed by using data from the Freedom in the World report.

2.3.2. Analytical technique

This thesis is a qualitative multiple-case study that allows us to deeply analyze different cases and enable a certain level of comparability despite its qualitative character. Specifically, four states are chosen randomly from the four groups of states combining the different levels of democracy and administrative capacity while using data from the Democracy Index and Government Effectiveness Index.

The researched time frame encompasses the period between 2011 and 2021 (selected period), allowing for assessing states' compliance with human rights provisions and recommendations over time. After all, UN human rights mechanisms usually operate in cycles lasting 3-5 years.

This thesis aims to assess states' compliance with human rights provisions and recommendations stemming from UN human rights mechanisms and finally answer the research question. To do so, recommendations from the UPR and UN treaty bodies cycles must be analyzed. The analysis is performed through defined criteria set by the author. These criteria either assess recommendations from the perspective of human rights provision or recommendation *per se*. As recommendations from the UPR and UN treaty bodies differ, they are assessed separately by two sets of complementing and inter-connected criteria. Each criterion generally describes what and how the recommendation is specifically analyzed (see Tables 2 and 3).[10] Assessments of each criterion related to UPR and UN treaty bodies' recommendations/provisions are separately assigned with five determined values that indicate the level of compliance (see Table 4). Afterward, assessments of criteria are used for the joint assessment of the state's compliance with UPR and UN treaty bodies'[11] recommendations/provisions. Each value has a verbal description set by the author that

[10] Criteria and their assessment are determined by using findings from the literature review.

[11] Since more UN treaty bodies can be assessed in one case study, values are first assigned to the assessment of each UN treaty body and afterward summarized into one joint assessment.

determines which level of compliance the state belongs to. Each criterion also describes how the value is assigned to each criterion (see Tables 2 and 3).

Concerning the thesis's factual realization, recommendations stemming from the UPR are analyzed. Specifically, we refer to recommendations from the second cycle (2012-2016) and third cycle (2017-2021). Regarding assessing UN treaty bodies' recommendations, the thesis employs only these treaties fully ratified by the examined state and if two reporting cycles at least partly fall within the selected period (e.g., the state already submitted the periodic report). Only such treaties enable a comprehensive assessment of UN treaty bodies' recommendations/provisions. Each state is analyzed separately by examining the UPR and UN treaty bodies' recommendations through determined criteria while using five determined values. Specifically, each criterion is first assessed and assigned a value. Based on findings from all criteria analysis, a value indicating the level of compliance is also assigned to each UPR and UN treaty body assessment. Assignment with five values of compliance is determined based on descriptions in Tables 2 and 3 while using expert estimates.[12] The joint assessment of the state's compliance with UPR and UN treaty bodies' recommendations/provisions is based on numerical average as each value has also a grade (see Table 4).

In the data interpretation part of the thesis, all findings are used to answer the research question, verify, or refute the above hypotheses separately for each case study, and compare states' compliance with provisions and recommendations stemming from the UPR and UN treaty bodies.

[12] This approach is in accordance with qualitative character of the thesis.

Table 2 – Recommendations (UPR)	
Criteria	Description
Response (recommendation)	Supported recommendations presume better human rights compliance.
	Response to recommendations from both cycles is compared with each other (supported vs. noted).
	Excellent value is assigned if almost all recommendations are supported, *good* if the majority are supported, *average* if supported and noted recommendations are equal, *below average* if the majority are noted, and *poor* value is assigned if almost all recommendations are noted. The improvement between cycles leads to a better value.
Character (treaty provision)	Prevalence of recommendations that aim to execute human rights provisions by other means than legal acts (e.g., national plans, supporting activities, guidelines, etc.) (**first category**) presumes that the state has already implemented recommendations aiming to adopt, amend laws or ratify treaties (**second category**). In other words, more recommendations in the first category presume that the state has already stepped up in compliance with human rights provisions.
	Recommendations are sorted among these two categories purely according to their character described above.
	Excellent value is assigned if almost all recommendations are first category, *good* if the majority of recommendations are first category, *average* if first and second category recommendations are equal, *below average* if the majority of recommendations are second category and *poor* value is assigned if almost all recommendations are second category. The improvement between cycles leads to a better value.
Events of human rights violation (treaty provision)	No violation of human rights provisions addressed by recommendation presumes better human rights compliance.
	Events of human rights violations related to issues connected with recommendations from the first cycles are found by using NGO sources.
	Excellent value is assigned if almost no events are detected, *good* if only some and less serious events are detected, *average* if some and more serious events are detected, *below average* if many and more serious events are detected, and *poor* value if the high number of very serious events is detected.
Repetition (recommendation)	Not repeated recommendations presume better human rights compliance.
	Recommendations from the first cycles are compared with recommendations from the second cycles and sorted according to their content among repeated and not included.
	Excellent value is assigned if almost all recommendations from the first cycle are not included in the second cycle, *good* if the majority of recommendations is not included in the second cycle, *average* if not included and repeated recommendations are equal, *below average* if the majority of recommendations is repeated, and *poor* value is assigned of almost all recommendations from the first cycle are repeated in the second cycle.

Implementation (recommendation)	Early and complete implementation presumes better human rights compliance. The focus is also pointed to the fact whether the implementation happened in reality (*de facto*) or just by law (*de jure*).
	Recommendations from the first cycles are sorted among implemented and not implemented by using the state's official sources or other sources stemming from NGOs or other articles complemented by already determined recommendations' character, discovered events of human rights violation, and possible repetition of recommendations.
	Excellent value is assigned if almost all recommendations are implemented, *good* if the majority of recommendations is implemented, *average* if implemented and not implemented recommendations are equal, *below average* if the majority of recommendations are not implemented, and *poor* value is assigned of almost all recommendations are not implemented.
Source: author	

Table 3 – Recommendations (UN treaty bodies)	
Criteria	Description
Due submission date (treaty provision)	Early submission of state party reports presumes better human rights compliance.
	The due submission date of a state party report (treaty bodies) is compared with the actual submission date.
	Excellent value is assigned if the state party report was submitted before the due submission date or in due time, *good* if the report was submitted several days up to a month after the due submission date, *average* if the report was submitted several months up to one year after the due submission date, *below average* if the report was submitted several years up to five years after the due submission date and *poor* value if the report was submitted more than five years after the due submission date. The improvement between cycles leads to a better value.
Character (treaty provision)	Prevalence of recommendations that aim to execute human rights provisions by other means than legal acts (e.g., national plans, supporting activities, guidelines, etc.) (**first category**) presumes that the state has already implemented recommendations aiming to adopt, amend laws or ratify treaties (**second category**). In other words, more recommendations in the first category presume that the state has already stepped up in compliance with human rights provisions.
	Recommendations are sorted among these two categories purely according to their character described above.
	Excellent value is assigned if almost all recommendations are first category, *good* if the majority of recommendations are first category, *average* if first and second category recommendations are equal, *below average* if the majority of recommendations are second category, and *poor* value is assigned if almost all recommendations

	are second category. The improvement between cycles leads to a better value.
Events of human rights violation (treaty provision)	No violation of human rights provisions addressed by recommendation presumes better human rights compliance.
	Events of human rights violations related to issues connected with recommendations from the first cycles are found by using NGO sources.
	Excellent value is assigned if almost no events are detected, *good* if only some and less serious events are detected, *average* if some and more serious events are detected, *below average* if many and more serious events are detected, and *poor* value if the high number of very serious events is detected.
Repetition (recommendation)	Not repeated recommendations presume better human rights compliance.
	Recommendations from the first cycles are compared with recommendations from the second cycles and sorted according to their content among repeated, partially solved, and not included.
	Excellent value is assigned if almost all recommendations from the first cycle are not included in the second cycle, *good* if the majority of recommendations is not included in the second cycle, *average* if not included and repeated recommendations are equal, *below average* if the majority of recommendations is repeated, and *poor* value is assigned of almost all recommendations from the first cycle are repeated in the second cycle.
Implementation (recommendation)	Early and complete implementation presumes better human rights compliance. The focus is also pointed to the fact whether the implementation happened in reality (*de facto*) or just by law (*de jure*).
	Recommendations from the first cycles are sorted among implemented and not implemented by using the state's official sources or other sources stemming from NGOs or other articles complemented by already determined recommendations' character, discovered events of human rights violation, and possible repetition of recommendations.
	Excellent value is assigned if almost all recommendations are implemented, *good* if the majority of recommendations is implemented, *average* if implemented and not implemented recommendations are equal, *below average* if the majority of recommendations are not implemented, and *poor* value is assigned if almost all recommendations are not implemented.
Source: author	

Table 4 – values					
	Excellent	**Good**	**Average**	**Below average**	**Poor**
Level of compliance	Almost all criteria are met	Majority of criteria are met	Half of criteria are met	Some criteria are met	Only a few criteria are met
Assessment of criteria	1	2	3	4	5
Source: author					

2.3.3. Empirical data

Primary data are mainly derived from various UN websites (such as the Office of the High Commissioner for Human Rights, Universal Human Rights Index, UN Treaty Collection, UPR-Info, UN Treaty Body Database, etc.). Specifically, in the case of the UPR, it is recommendations given by reviewing states and their reactions. Concerning UN human rights treaty bodies, it is observations delivered by treaty bodies and replies to them delivered by the reviewed state. Since assessments of some criteria derive only from official UN sources (due submission date, character, repetition, and response), sources of data are quoted only once in each assessment for readability reasons. Information about analyzed states (events of human rights violations and implementation) is collected from human rights NGOs or, if possible, from official state sources.

2.3.4. Limits

The principal limit could consist in the qualitative character of the thesis and in the assessment of states' compliance only through human rights provisions and recommendations. Additionally, the author may encounter biased data interpretation. Due to these possibilities, comparability and generalization is reduced. Although states were randomly selected, results may differ from other analyzed states. Moreover, criteria are selected according to the author's judgment via the literature review; however, it cannot be eliminated that some criteria are missing, or they were not correctly determined. Also, it must be underlined that findings of UN human rights bodies cannot be understood as clear evidence of states' compliance as UN human rights treaties do not cover all aspects of human rights, and staff performing the assessment does not have to possess all correct information or their assessment may differ in time and in between of each UN treaty body. That is why

the findings may be skewed. Furthermore, even if the thesis confirms states' compliance with human rights provisions/recommendations is influenced by some factors more than others, the compliance may be caused by entirely different factors not related to the UN monitoring mechanisms.

2.3.5. States selection

Table 5				
	Democratic and high administrative capacity	Democratic and low administrative capacity	Nondemocratic and high administrative capacity	Nondemocratic and low administrative capacity
State	**The Netherlands**	**South Africa**	**Bahrain**	**Honduras**
Democracy	8,88/10 (full dem.)	7,05/10 (flawed dem.)	2,52/10 (authoritarian)	5,10/10 (hybrid regime)
Administrative capacity	97,12/100	51,92/100	74,04/100	20,67/100
Human rights advocacy network	free operation / strong influence	free operation/ important	restricted by law/ unimportant	restricted / harsh conditions
Neighboring states	2 free	3 free, 1 partly free, 2 not free	2 not free[13]	2 partly free, 1 not free
Source: Freedom House, Democracy Index, Worldwide Governance Indicators				

[13] It must be noted that Bahrain is an island; therefore, neighboring states were considered closest mainland states.

3. The Netherlands

The Netherlands (officially the Kingdom of the Netherlands) is a parliamentary constitutional monarchy in Northwestern Europe with several overseas territories.[14] The Netherlands is the sixth smallest state in the EU; however, concerning population, the Netherlands is the 7th most populous state in the EU, which makes the Netherlands the second-most densely populated state in the EU and 16th in the world.

3.1. UPR

Response – below average

Under the selected period, the Netherlands was first reviewed during the second UPR cycle in May 2012. The Netherlands received 130 recommendations; 50 were supported, and 80 were noted.[15] Supported recommendations focused mostly on racial discrimination, international instruments, and disability rights (UPR-Info 2023).

The following (third) UPR cycle took place in May 2017. The Netherlands received almost twice more recommendations (224), while 105 were supported and 119 were noted only. Supported recommendations focused the most on racial discrimination, minority rights, and women's rights. Those which were only noted mostly focused the most on international instruments, rights of the child, and migrants (UPR-Info 2023).

A commonality with both of these cycles was less supported recommendations than noted recommendations. During the second UPR cycle, the Netherlands mostly refused recommendations focused on international instruments, migrants, racial discrimination, and children's rights (UPR-Info 2023). Given that the Netherlands primarily supported recommendations focused on international instruments and racial discrimination, we can expect that the pure issue is not the criterion that leads the Netherlands to support or note recommendations. Regarding international instruments, the Netherlands supported those recommendations proposing ratification of the CRP-OP-IC and the CRPD, whereas rejecting all recommendations proposing the ratification of the CRPD-OP, CESCR-OP, CMW, and lifting reservations under the CRC. Analysis of recommendations on racial discrimination indicates that the Netherlands specifically noted recommendations that

[14]The Netherlands (Kingdom of the Netherlands) is composed of four constituent countries (the European Netherlands including three Caribbean islands: Bonair, Sint Eustatius and Saba, and Aruba Curaçao and Sint Maarten. The last three islands (constituent countries) have its own constitution and governance.

[15] As only supported recommendations present state's will to implement recommendations, we can omit noted ones which is in line with the thesis's aim to assess states' compliance.

proposed specific action (i.e., appeal the court's verdict, establish a mechanism, or amend laws). Supported recommendations were more general, usually introduced by to ensure, intensify, or design.

In contrast, during the second UPR cycle, the Netherlands supported and noted recommendations related to different issues; therefore, an assumption from the previous cycle is not confirmed (UPR-Info 2023).

Character - good

Among supported recommendations from the second UPR cycle, recommendations introduced by declarations such as to ensure, intensify efforts, continue strengthening, introduce measures, etc., and prevail (UPR-Info 2023). Detailed analysis revealed that these recommendations aim to execute previously implemented obligations by strengthening, modifying, or improving already started processes such as improving conditions of migrants' detention centers, studying new measures to eliminate discriminatory treatment towards minorities, or taking steps to facilitate equal access to the labor market. Therefore, these recommendations may be considered as those aiming to execute human rights provisions by other means than legal acts (first category). Fewer recommendations are introduced by declarations such as ratify, adopt, or approve to implement specific changes in law or ratify UN human rights treaties (second category).

Similar outcomes stem even from the third UPR cycle, where first-category recommendations prevail among supported recommendations (UPR-Info 2023). Nevertheless, second category recommendations are more targeted as they address specific legislative deficiencies (i.e., implement legislations to ensure implementation of the CRPD, to reduce human rights trafficking, or to prevent discrimination) rather than on ratification of UN human rights treaties.

Events of human rights violation - good

During the selected period, the Netherlands witnessed violations primarily regarding the human rights of migrants. The Netherlands was the most criticized for the excessive use of immigration detention. According to Amnesty International, conditions in immigration detention centers largely mirrored those in criminal detention facilities (Amnesty International 2012). In September 2015, the Dutch government drafted a law regulating immigration detention. However, it included provisions that would, in practice, likely lead to harsher conditions for detained irregular migrants and asylum-seekers (Amnesty International 2016). Above all, it failed to establish an effective mechanism to prevent

the detention of vulnerable groups. Other human rights violations related to criticism of illegal refoulements (deporting asylum seekers to Somalia against guidelines issued by the UN refugee agency) (Human Rights Watch 2013). Furthermore, the events of human rights violations give evidence of racial discrimination. The Netherlands failed to prevent ethnic profiling by police and did not sufficiently protect the Palestinian NGO's human rights lawyer against several death threats, harassment, and defamation (Amnesty International 2016: 11). Anti-immigrant and anti-Muslim rhetoric were present during the 2018 general elections. Dutch Prime Minister Mark Rutte stated in an open letter to voters telling immigrants who did not accept Dutch values "*to act normal or leave*." (The Washington Post 2017). Events of human rights violations provide evidence that recommendations regarding migrants' detention and racial discrimination were not fully implemented.

Repetition - good

Only a minority of supported recommendations from the second cycle were identically repeated in the third UPR cycle. Thematically, they referred in the majority to detention practices of migrants, hateful speech towards minority groups, and racial discrimination against migrants (UPR-Info 2023). Nevertheless, some repeated recommendations also focused on inadequate measures against domestic violence, human trafficking, and discrimination in the Dutch labor market. Six recommendations from the second UPR cycle could be assessed as partly solved as not identical ones were in the third UPR cycle. However, they are oriented on similar human rights issues as those in the second cycle. An example of such a recommendation is to promote equal representation of men and women in top positions. Even though recommendations dealing with gender inequalities were repeated in the third UPR cycle, no recommendation focused on equal representation of men and women in top positions. Most recommendations were not included in the third UPR cycle. At the same time, the majority dealt with the ratification of the CRPD, the establishment of the National Institute for Human Rights, and the development of the human rights action plan. Other positive shifts could be spotted among the two UPR cycles in the development of migration policies, access of women to the labor market following childbirth, or avoiding the pre-trial detention of minors.

Implementation - good

a) Implemented

The Netherlands fully implemented recommendations addressing ratification of the CRPD, the development of a national human rights action plan, and the establishment of the National Human Rights Institution (NHRI). The CRPD was ratified without reservation in 2016, the human rights action plan was first approved in 2014 (National Action Plan on Human Rights 2014: 4), and the Dutch NHRI received accreditation from the European Network of National Human Rights Institutions (ENNHRI)[16] in 2014. Another group of recommendations focused on the child's rights, especially on pre-trial detention and sexual tourism and violence. According to the government's sites, the Netherlands gave full responsibility for youth care in 2015 to municipalities while they launched the Task Force on Child Abuse and Sexual Abuse (Government of the Netherlands 2023). Additionally, in 2021 Dutch ministries and municipalities set out a scenario for the future of child and family protection to tackle structural problems stemming from poor communication between involved organizations (Government of the Netherlands 2021). The Netherlands also advanced regarding human trafficking. According to the 2022 Trafficking in Persons Report, the Netherlands demonstrated serious and sustained efforts to combat human rights trafficking (doubled the number of prosecuted traffickers and increased child trafficking prevention) (U.S. Department of State 2022). Unfortunately, positive shifts do not apply to the Dutch overseas territories (U.S. Department of State 2022). Finally, the Netherlands also slightly stepped-up regarding women's rights, where recommendations focused on equality in the labor market and gender discrimination. According to the Gender Equality Index from 2020, the Netherlands has witnessed little progress since 2010, especially regarding women in top-position and decision-making (European Institute for Gender Equality 2021: 3). The Netherlands has the fifth-highest score in the EU.

b) Not measurable

The implementation of some recommendations cannot be analyzed due to their general instruction. It refers to recommendations that suggest continuing a national dialogue, efforts, assistance, or support (UPR-Info 2023). Other recommendations are so broad that their implementation cannot be measured (e.g., "*Continue efforts to promote and protect human rights on the ground*").

[16] ENNHRI groups European Human Rights Institutions that are fully or partially compliant with the UN Paris Principles (endorsed by the UN General Assembly in 1993 (Resolution A/RES/48/134) (ENNHRI 2023).

c) Not implemented

The first group of recommendations relates to migrants and their conditions in detention centers. The Country Report of the Global Detention Project from 2020 shows that increasing numbers of non-citizens are being placed in detention, and people applying for asylum at the border are systematically placed in border detention (Global Detention Project 2020). However, the Netherlands in 2018 developed a migration policy composed of six pillars focusing on preventing irregular migration and improving migrants' reception and integration (Comprehensive Agenda on Migration 2018). The largest group of recommendations focuses on enhancing measures against racial discrimination and minority rights (UPR-Info 2023). Several articles mention the persisting problem of institutional racism in housing and the labor market, although there are considerable differences between Western and non-Western minorities with an ethnic hierarchy (European Commission 2021). Therefore, recommendations tackling racism, xenophobia, and intolerance are not fully implemented. Ultimately, the Netherlands has not yet implemented recommendations regarding ratification of the CRC-OP-IC, human trafficking in Dutch overseas territories is not adequately resolved compared to the European Netherlands, and domestic violence policies constituted, according to Arne Mellaard and Toon van Meijl, a regime of deficiency (Mellaard and Meijl 2021: 437-459).

Summary

UPR recommendations' analysis showed that none of the selected criteria were fully met, although none of the criteria were not wholly omitted. The Netherlands indeed received more first category recommendations during both UPR cycles. Only two human rights groups were violated according to human rights events contradicting recommendations received during the second UPR cycle. A minority of recommendations were repeated in the following UPR cycle. The Netherlands implemented approximately half of the recommendations. The least positive evidence indicates a response to recommendations where in both cycles, more recommendations were noted than supported; however, no evidence of systematic rejection of specific human rights was found.

Altogether, the Netherlands can be assigned with a **good** level of compliance.

3.2. Treaty bodies

Until recently, the Netherlands ratified all UN human rights treaties except the CMV and the two optional protocols (CRC-OP-IC and CRPD-OP). Since the selected period

reduces the scope of the thesis, the analysis examines only the treaties whose two subsequent reporting cycles fall under the selected period (CAT, CED, CEDAW, and CERD).

3.2.1. Convention against Torture

Due submission date - good

The state party report under the sixth cycle was delayed almost half a year, whereas the following was submitted only one month after the due date (UN Treaty Body Database 2023).

Character - average

Recommendations from the sixth cycle rather aim to execute human rights provisions by other means than legal acts (first category). The Netherlands was the most asked for human rights enhancement like ensuring direct applicability of the CAT, taking further steps regarding access to complaint mechanisms, or strengthening adequate training of police and justice officials in compliance with the CAT (CAT Committee 2013). A large group of first category recommendations focused on observing the non-refoulement principle and detention of asylum seekers, including unaccompanied children. First category recommendations also dealt with human trafficking by advising further protection and redress of victims and better investigation of trafficking cases. Only several recommendations were assessed as aiming to adopt, amend laws or ratify treaties (second category). The Netherlands was asked to legally strengthen the right to access a lawyer to amend national redress provisions in compliance with the general comment adopted. The two second category recommendations dealt with Dutch overseas territories (establishing the separate NHRI and revising criminal legislation regarding pretrial detention).

Recommendations from the seventh cycle give a slightly different perspective. Although the first category recommendations prevail with similar tackled issues complemented by recommendations regarding inter-prisoner violence, persons serving life sentences, or LGBT rights, the Netherlands received more second category recommendations (CAT Committee 2018). The Netherlands was on top of previous second category recommendations asked to withdraw the declaration on the exclusive territorial application of the CAT and CAT-OP only in European Netherlands, to amend legislation concerning juvenile justice, draft new laws regarding children in closed youth care facilities, or to adopt new legislative measures to improve the situation of intersex persons. It should

be emphasized that some of these second category recommendations follow up on previous first category recommendations (e.g., non-refoulement, pretrial detention, etc.).

Events of human rights violation - average

Events of human rights violations already analyzed in the last part focused on the UPR showed the Netherlands witnessed violations connected with the human rights of migrants, including excessive use of detention vulnerable groups and several cases of illegal refoulements (see 3.1 UPR). It indicates that the Netherlands did not comply with recommendations focused on non-refoulement, detention of asylum seekers, including unaccompanied children, and pretrial detention.

Repetition - average

Most recommendations from the sixth cycle were repeated during the seventh cycle (CAT Committee 2013) (CAT Committee 2018). Nevertheless, these repeated recommendations included identical recommendations focused on the use of electrical discharge weapons and medical examinations as part of the asylum procedure, as well as those that welcomed progress but mentioned possible improvements (e.g., human trafficking, unaccompanied children asylum seekers and children in detention, etc.) or contrarily that criticized more the Netherlands for deterioration and opted for stricter recommendations (e.g., non-refoulement, pretrial detention, etc.). A few recommendations were not included in the seventh cycle; however, those recommendations' implementation could not be assessed due to unavailable data (illegal treatment by the police and prison and border guards, access to complaint mechanisms, etc.).

Implementation – below average

a) Implemented

The Netherlands stepped up in fighting human trafficking including Dutch overseas territories, by adopting the national action plan "*Together against trafficking in human beings*" in 2018 and establishing a trafficking and smuggling task force (Government of the Netherlands 2018). Although the CAT Committee still gave specific recommendations, those are less important. Furthermore, the Netherlands slightly advanced regarding unaccompanied child asylum seekers due to the new detention regime; however, the number of those children increased between cycles (Global Detention Project 2020). Similar slight progress can be spotted in recommendations regarding forced internment in mental health care, where the Netherlands passed new laws (CAT Committee 2018: 10). However, the number of placements was still high.

b) Not measurable

It is impossible to verify how the Netherlands implemented recommendations regarding residence permits for asylum seekers, illegal treatment by the police, and access to complaint mechanisms due to unavailable data (CAT Committee 2013).

c) Not implemented

Most recommendations from the sixth cycle were not sufficiently implemented. It refers to double legal standards between European Netherlands and its overseas territories in implementing the CAT, the right to access a lawyer, the National Agency for Prevention of Torture, and the NHRI (CAT Committee 2018). The CAT Committee ascertained several breaches of the principle of non-refoulement and expressed its serious concerns regarding the high number of detained asylum-seekers and low detention conditions (CAT Committee 2018: 3-5). Recommendations for lowering pretrial detention must also be assessed as not implemented, as the Committee reported the high percentage of pretrial detainees and the low use of alternatives (CAT Committee 2018: 7). Finally, the Netherlands overlooked recommendations concerning the use of electrical discharge weapons and the redress of victims (CAT Committee 2018: 10-11, 12-13).

Summary

The best results stem from due submission dates that improved among the two cycles. On the other hand, we noticed slight deterioration as second category recommendations increased in the following cycles, the Netherlands witnessed several events of human rights violations that persisted until the end of the selected period and most recommendations repeated with diverse comments. The worst results stem from implementation assessment.

Therefore, the Netherlands can be assigned with an **average** level of compliance.

3.2.2. Convention for the Protection of All Persons from Enforced Disappearance

Due submission date - good

The initial state's party report was submitted less than one month after the due date, the first follow-up report with approximately nine months delay, and the second follow-up report two days before the due submission date (UN Treaty Body Database 2023).

Character - poor

The Netherlands received only recommendations aiming to adopt and amend laws (second category). Namely, the Netherlands was called upon for an extension of the CED Committee

by Dutch overseas territories or, in general, to ensure that the CED is equally applied in the Netherlands (CED Committee 2014). Nevertheless, the Netherlands was asked to amend the International Crime Act in compliance with the CED; therefore, the criticism was not aimed only at Dutch overseas territories. Even other recommendations recommended amendment of the national legislature (e.g., measures to provide reparation, securing unrestricted access of the NHRI to all detention places).

Under the CED, the state party only submits the initial report, followed by *ad hoc* additional information as requested by the CED Committee. The Netherlands sent the two follow-up reports in 2016 and 2021 without any response from the CED Committee (UN Treaty Body Database 2023).

Events of human rights violation - excellent

No acts of enforced disappearance complying with the CED's Committee recommendations were found.

Repetition

Due to the specificity of the CED's monitoring mechanism, the repetition assessment cannot be performed.

Implementation – below average

According to the follow-up reports, some recommendations were not implemented. For example, the Netherlands has not yet succeeded in extending the CED Committee's competencies to all Dutch overseas territories (Curaçao and Sint Maarten are excluded) (CED Committee 2021: 2). The Netherlands refused to adopt specific legislation regarding enforced disappearance (CED Committee 2021: 2). Most of the Netherlands explained why it is believed that the Netherlands already complies with the recommendations given. It refers to all CED Committee's proposals for amendments to the Dutch legislation (including the definition of enforced disappearance in the International Crimes Act) (CED Committee 2021: 2). The Netherlands did not provide any information (e.g., about updates of registers of persons deprived of their liberty, etc.). Only a few recommendations were implemented. It includes securing application uniformity of the CED and training migration officials (CED Committee 2021: 3, 6).

Summary

Results of criteria assessments present very diverse results. The Netherlands did not witness any events of human rights violations connected with the CED and relatively duly submitted its reports. Nevertheless, the Netherlands received only second category recommendations

aiming to adopt and amend laws. Furthermore, the Netherlands refused to implement these recommendations while giving detailed explanations for this action.

Therefore, the Netherlands can be assigned with an **average** level of compliance.

3.2.3. Convention on the Elimination of Discrimination against Women

Due submission date – below average

The sixth periodic report was submitted with eight months delay, whereas the seventh one with almost two years of delay (UN Treaty Body Database 2023).

Character – good

The Netherlands primarily received recommendations advising to strengthen or develop strategies, enhance, or intensify efforts regarding stereotypes, gender-based violence against women, participation in public life, education, etc. (first category) (CEDAW Committee 2016). In other words, these recommendations provide the Netherlands guidance on further lowering discrimination against women. Recommendations aiming to adopt and amend laws focus on the legal status and implementation of the CEDAW provisions (second category). The Netherlands was called to transpose even those not considered directly applicable provisions and to secure equal implementation of the CEDAW in all parts of the Netherlands. Furthermore, the Netherlands was asked to amend the Media Act and legalize the termination of pregnancy in Sint Maarten.

Events of human rights violation – good

According to the Gender Equality Index, the Netherlands is rated as the fifth most equal country; therefore, not many significant events of human rights violations were found. However, the gender gap in wages has slightly widened from 20 % in 2010 to 21 % in 2020 (European Institute for Gender Equality 2021: 3). Furthermore, women are still at greater risk of poverty than men. The Freedom House report from 2021 mentions that pregnant women still suffer from persistent labor market discrimination, and nearly half of all young adult women have experienced some form of sexual violence (Freedom in the World Netherlands 2022). These events support recommendations focused on employment, disadvantaged groups of women, and gender-based violence against women.

Repetition

The repetition assessment cannot be performed as the concluding observations report has not been finished yet.

Implementation – below average

The Netherlands submitted the following periodic report where it reacted to all previously raised recommendations. Since recommendations are the most from the first category, it is harder to assess implementation precisely. Nevertheless, the Netherlands generally submitted well-reasoned and detailed explanations of all activities to eliminate discrimination against women. Less positive outcome stems from response to second category recommendations that were not not implemented, except for one (improvements in access of women to justice) (CEDAW Committee 2022: 4-5). The Netherlands denied changing the legal status of the CEDAW (CEDAW Committee 2022: 2) and implemented all provisions to amend the Media Act (CEDAW Committee 2022: 7). Furthermore, the Netherlands disregarded all recommendations focused on Dutch overseas territories. The Netherlands only submitted information about some selected improvements in Curaçao that did not react to previous recommendations.[17]

Summary

In the case of the CEDAW, the Netherlands deteriorated in its reports submissions and failed to implement most of the given recommendations. Contrarily, more recommendations were from the first category and only less significant violations were found.

Therefore, the Netherlands can be assigned with an **average** level of compliance.

3.2.4. Convention on the Elimination of All Forms of Racial Discrimination

Due submission date - good

The state party report under the combined nineteenth to twenty-first cycle was delayed six months, whereas the following was only two days delayed (UN Treaty Body Database 2023).

Character – average

Recommendations from the combined nineteenth to twenty-first aimed to execute human rights provisions by other means than legal acts (first category) (CERD Committee 2015). The Netherlands was called upon to intensify efforts to eliminate racist hate speech, combat racial profiling, or find a reasonable balance between cultural traditions and to ensure respect for the human dignity of all inhabitants in the Netherlands. Other recommendations with a similar character also focused on minority women, education, or employment. In other

[17] Compare the seventh periodic report submitted by the Netherlands in 2022 (p. 22-29) with the Concluding observations on the sixth periodic report of the Netherlands from 2016 (p. 5, 9, 10, 11, 12, and 13).

words, except for one recommendation that suggested an amendment of the national definition of racial discrimination and criminal legislation (second category), recommendations try to enhance the current stage where the CERD is *de jure* implemented.

Recommendations from the following cycle were similarly from the first category and even oriented on similar issues, but slightly more second category recommendations were raised, referring racial profiling (CERD Committee 2021). The CERD Committee already advised including an explicit prohibition of racial profiling in national legislation and adopting a law requiring companies to adopt a recruitment and selection policy that eliminates racial bias.

Events of human rights violation – average

Regarding human rights violations, it referred to already mentioned events in part about the UPR assessment regarding racial discrimination and profiling. Additionally, the continuous presence of racism in Dutch society was confirmed by the report from the Dutch foreign ministry, which found that "racism at the ministry ranges "*from aggressive, direct, overt, and conscious to subtle, indirect, hidden, unintentional, or unconscious — and that bicultural employees and locally hired employees of color experience various forms of racism"* (Corder 2022).

Repetition – average

Approximately half of the recommendations were repeated in the following cycle (CERD Committee 2015) (CERD Committee 2021). Nevertheless, these repeated recommendations varied in accent. Some of them tended to increase the pressure on the Netherlands (i.e., recommendations on racial profiling or discrimination in employment). In contrast, others acknowledged certain progress (i.e., racist hate speech, civic integration, or discrimination against people of African descent). Still, we cannot forget that some new issues were raised by new recommendations (i.e., racism in sports, underreporting of complaints of racial discrimination, etc.).

Implementation – average

Almost half of the recommendations from the combined nineteenth to twenty-first were not implemented. The Netherlands has not yet amended its national definition of racial discrimination (CERD Committee 2021: 2). Furthermore, the Netherlands did not step up in tackling racial profiling and racial discrimination against the Roma population (CERD Committee 2021: 2-3, 6-7). A similar negative trend is also visible in discrimination in employment, education, and the situation of refugees (CERD Committee 2021: 4-5, 7).

At least partial implementation can be spotted in lowering discrimination against people of African descent as the Netherlands started an investigation of the historical slave trade (CERD Committee 2021: 8). The Netherlands also applied a more sensible attitude towards Zwarte Piet[18] as the Prime Minister acknowledged in 2020 that this tradition might be sensible for minorities (DutchNews.nl 2020). In 2021, the government introduced the position of national coordinator against racism and discrimination, which should lower racist hate speech (CERD Committee 2021: 3).

Summary

In the case of the CERD, the Netherlands has good records in reports' due submission dates. Slightly worse results relate to the character of recommendations, number of events of human rights violations, and number of repeated recommendations. The Netherlands implemented more recommendations in comparison with other UN treaty bodies.

Therefore, the Netherlands can be assigned with an **average** level of compliance.

3.2.5. Summary of treaty bodies

a) Due submission date (GOOD)

The Netherlands usually succeeded in submitting its reports with a delay of some months up to one year. Once the report was submitted with two years delay and once two days before the due submission date.

b) Character (AVERAGE)

Regarding the character of recommendations, with one exception (the CED), first category recommendations prevailed. Nevertheless, in the two cases (the CAT and CERD), the following cycle included slightly more second category recommendations.

c) Events of human rights violation (GOOD)

Such events largely varied depending on issues the UN human rights treaty tackled. From zero events (the CED) and a few events (the CEDAW) to several events of human rights violations (the CAT and CERD). It indicates that the Netherlands fails to adequately tackle issues connected with minorities, migrants, and asylum seekers. On the other hand, relatively good results were related to women's rights. Events of enforced disappearance were not indicated.

[18] Zwarte Piet (Black Pete) is a highly controversial character within celebrations of the Feast of Saint Nicholas in the Netherlands (for more information see Tavares 2004).

d) Repetition (AVERAGE)

Where the repetition of recommendations could be assessed, recommendations tended to repeat. Nevertheless, even among repeated, there were completely identical, but also where progress or deterioration was spotted.

e) Implementation (BELOW AVERAGE)

In general, the Netherlands rather did not implement recommendations. The Netherlands usually denied implementing second category recommendations (aimed at changing laws). Regarding first category recommendations, certain progress can be spotted, but implementation was partial, or the Netherlands provided detailed reasoning for its actions, resulting in a refusal of implementation.

Altogether, the Netherlands can be assigned with an **average** level of compliance.

Table 6

Treaty	Ratification	Reservation	Reporting cycles	Due date (submission)	Due date (submission)
CAT	**1988**	**NO**	**VI, VII (2)**	**15/07/2011 (04/01/2012)**	**31/05/2017 (22/06/2017)**
CAT-OP	2010	NO	-	-	-
CCPR	1978	YES	V (1)	01/04/2018 (04/04/2018)	-
CCPR-OP1	1978	NO	-	-	-
CCPR-OP2-DP	1991	NO	-	-	-
CED	**2011**	**NO**	**I, II (2)**	**24/05/2013 (11/06/2013)**	**28/03/2015 (16/12/2015)**
CEDAW	**1991**	**NO**	**VI, VII (2)**	**01/02/2014 (28/10/2014)**	**30/10/2020 (08/07/2022)**
CEDAW-OP	2002	NO	-	-	-
CERD	**1971**	**NO**	**XIX-XXI + XXII-XXIV (2)**	**09/01/2013 (19/07/2013)**	**09/01/2019 (11/01/2019)**
CESCR	1978	NO	VI (1)	30/06/ 2015 (15/04/2016)	-
CESCR-OP	2009	NO	-	-	-
CMW	NO	NO	NO	-	-
CRC	1995	YES	IV (1)	06/03/2012 (22/11/2013)	-
CRC-OP-AC	2009	NO	-	-	-
CRC-OP-SC	2005	NO	-	-	-
CRC-OP-IC	NO	NO	-	-	-
CRPD	2016	NO	-	-	-
CRPD-OP	NO	NO	-	-	-

Source: UN Treaty Collection and UN Treaty Body Database

4. South Africa

South Africa is the southernmost parliamentary republic in Africa where the president is both head of the state and government. South Africa is a multiethnic state with a majority of Black South Africans (80%). The state recognizes 11 official languages. South Africa is part of the BRICs states.

4.1. UPR

Response – good

Under the selected period, South Africa was first reviewed during the second UPR cycle in May 2012. South Africa received 155 recommendations; 122 were supported, and 33 were noted.[19] Supported recommendations focused the most on women's rights, rights of the child, international instruments, and the right to health (UPR-Info 2023).

The following (third) UPR cycle took place in May 2017. South Africa received more recommendations than in the previous cycle (267), while 197 were supported and 70 were noted only. Supported recommendations focused the most on women's rights, racial discrimination, rights of the child, and international instruments. Those only noted focused the most on international instruments, rights of the child, and labor rights (UPR-Info 2023).

During both cycles, South Africa accepted the vast majority of recommendations (UPR-Info 2023). During the second UPR cycle, South Africa noted recommendations on international instruments, freedom of opinion and expression, and women's rights. South Africa did not accept recommendations concerning the abrogation of the Protection Information Bill. This legislation proposed a regulation of the dissemination of state information while weighing state interest with freedom of expression. Ultimately, the bill never entered into force. The rest of the noted recommendations addressed violence and discrimination against women and ratification of the CRC-OP-IC, CRPD-OP, CAT-OP, CMW, and CED. The CAT-OP was ratified in 2019.

During the third cycle, South Africa mostly noted recommendations on international instruments, rights of the child, and labor rights (UPR-Info 2023). The last two groups were also among those most supported.

[19] As only supported recommendations present state's will to implement recommendations, we can omit noted ones which is in line with the thesis's aim to assess states' compliance.

Character – good

The vast majority of all supported recommendations from the second UPR cycle were aimed at enhancing the human rights status by adopting additional measures (first category) (UPR-Info 2023). For example, it refers to all recommendations focused on HIV. South Africa was called upon to reduce mortality rates, promote sexual education, enhance health care, or lower discrimination of persons affected. The similar character of recommendations involved recommendations regarding migrants and asylum seekers, poverty, racial discrimination, and the right to education. Recommendations aiming to adopt, amend laws or ratify treaties (second category) were identified regarding detention and torture. South Africa was asked to amend the definition of torture and adopt the Prevention and Combating of Trafficking in Persons Bill. Furthermore, South Africa was urged to ratify the CESCR and its optional protocol and adopt the Women's Empowerment and Gender Equality Bill.

The following cycle had a similar distribution of recommendations as second category recommendations focused again on torture (ratification of the CAT-OP) (UPR-Info 2023). Newly, South Africa was called upon to adopt the Prevention and Combating of Hate Crimes and Hate Speech Bill and the Children's Act to abolish child marriages and virginity tests. The rest (the vast majority) of all recommendations were from the first category.

Events of human rights violation – below average

During the selected period, South Africa witnessed countless violence against various members of South African society, including migrants, asylum-seekers, workers, women, minorities, etc. One of the worst examples was the tragedy at Lonmin Platinum Mine in 2012, where police killed 34 miners during an illegal strike (Human Rights Watch 2013). Nevertheless, all years of the selected period give examples of many violent acts (the brutal murder of Andries Tatane in 2011 committed by police (Human Rights Watch 2012), xenophobic attacks in 2014 on the businesses and homes of refugees (Human Rights Watch 2015), 2019 attacks by South Africans against foreign nationals in eThekwini, or more than 200 foreign truck drivers killed since March 2018 until 2019 (Human Rights Watch 2020)). At least 19 LGBT persons were murdered in 2021, and police statistics showed that reported sexual offenses increased to 146 incidences per day (116 were rapes) (Human Rights Watch 2022).

Regarding other most severe events of human rights violations, South Africa witnessed many corruption cases. The most striking was the release of former president Jacob Zuma on medical parole after an undisclosed medical procedure, even though he was

first given a 15-month prison sentence (BBC 2021). Furthermore, COVID-19 exacerbated problems with education as especially students with disabilities were largely excluded from the possibility of education.

Repetition – average

Most recommendations were repeated during the third cycle (UPR-Info 2023). It refers mainly to recommendations on corruption, justice, migrants, poverty, and the right to education. Nevertheless, it must be noted that not all repeated recommendations were not implemented. The third cycle was performed four years before the selected period; hence South Africa succeeded in implementation after the third cycle. Among these recommendations, we can include those focused on combat with HIV, implementation of a national action plan against racial discrimination, prohibition of corporal punishment, adoption of legislation on prevention, investigation, and prosecution of gender violence, or reduction of maternal and child mortality. Fewer recommendations were not included in the third cycle. These recommendations dealt with disability rights, ratification of the CESCR, CAT-OP, torture, and human trafficking. Surprisingly, some of these recommendations were assessed as not implemented (e.g., recommendations about juvenile justice, domestic violence, or accession to all not ratified human rights instruments).

Implementation – below average

a) Implemented

South Africa fully implemented recommendations regarding the ratification of the CESCR (ratified in 2015) and the CAT-OP (ratified in 2019). As implemented could be depicted recommendations focusing on the operation of the Department of Women, Children and People with Disabilities, whose mandate is to regulate the socio-economic transformation and implementation of the empowerment and participation of women, youth, and persons with disabilities (Department of Women, Youth and Persons with Disabilities 2023). South Africa progressed regarding AIDS as the testing improved (94% of people knew their status) (Be in the Know 2021). Recent studies showed a substantial decline in HIV incidence due to antiretroviral treatment and condom promotion (Johnson, Meyer-Ratth, Dorrington et al. 2022). According to the International Labor Organization (ILO), South Africa has stepped up in promoting decent work due to signing the Decent Work Country Program (International Labor Organization 2023). The Global Detention Project reported a noticeable improvement in the state's efforts to adhere to some detention standards (Global Detention Project 2021). Regarding racial discrimination, South Africa

answered the call and adopted the National Plan to combat Racism, Racial Discrimination, Xenophobia, and Related Intolerance (Department of Justice and Constitutional Development 2022). Due to low access to health care, South Africa passed a new National Health Care Insurance bill that will establish in 2026 access for every citizen to health care services (The Borgen Project 2022). Since 2019, the South African constitutional court has prohibited all corporal punishment of children; therefore, South Africa has become the 57th state worldwide and the eighth African state to prohibit all corporal punishment of children (End Corporal Punishment 2019). In 2013, South Africa enacted the Prevention and Combating of Torture of Persons Act 15 years after ratifying the CAT (The Centre for the Study of Violence and Reconciliatio 2014: 2). Finally, regarding sexual identity and women's rights, South Africa has one of the most liberal and progressing legal environments (e.g., the adoption of the Women's Empowerment and Gender Equality Bill in 2013) (Government of South Africa 2013). Additionally, South Africa succeeded in a sharp decrease in the mortality rate (The World Bank 2021).

b) Not measurable

The implementation of some recommendations cannot be analyzed due to their general instruction. It refers to recommendations that suggest ESC rights, establishing inclusive social dialogue, or seeking technical assistance from the OHCHR. Other recommendations are so broad that their implementation cannot be measured (e.g.: "*Take tangible measures to ensure that women have access to all public services*") (UPR-Info 2023).

c) Not implemented

More recommendations were assessed as not implemented. South Africa failed to lower gender-based violence against women and the LGBT community, although the parliament passed three bills connected to this issue due to inadequate funding for shelters and other services (Human Rights Watch 2021). Additionally, UN experts warned about racial discrimination and xenophobia against foreign nationals, which is, according to them, institutionalized both in government policy and society (OHCHR 2022). A similar unfavorable situation persists regarding recommendations on equal access to justice for the poorest citizens who are excluded from receiving legal advice due to socio-economic and physical barriers (Greenbaum 2020). Insufficiently addressed recommendations also refer to protecting migrants and asylum-seekers (including unaccompanied children) who suffered from violent attacks committed by anti-migrant vigilante groups. The South African president condemned these attacks, but concrete steps were missing (Amnesty

International 2022). Several recommendations also addressed the problem of low access to good quality and inclusive education. Amnesty International says children suffer from poor schooling infrastructure and educational outcomes, especially in underprivileged areas. Disabled children are still often excluded from mainstream education (Amnesty International 2020). As not complied must be assessed recommendations tackling the right to access food and drinkable water. According to the South African Human Rights Commission, there are still twelve million people with poor food delivery and officials registered between 2012 and 2016 1 363 complaints about violations of the right to water and sanitation (SAHRC). South Africa fails to comply with recommendations addressing poverty. OXFAM reported that the COVID-19 pandemic worsened the situation due to budget costs (Oxfam 2022). Unfulfilled promises were also spotted concerning recommendations about women's rights. OXFAM found the worst situation for black and rural women, although all women suffer from violence and discrimination in labor (Oxfam South Africa 2023). According to AfricaNews, rape and sexual offenses raised by 13% between 2017 and 2022. Finally, recommendations about corruption were not followed as the enforcement was low, and many accused officials were not prosecuted (AfricaNews 2022). In line with the Transparency International Corruption Perceptions Index, South Africa maintains a stable score under 50, indicating a significant corruption problem (Transparency International 2022).

Summary

UPR recommendations' analysis presents mixed results. Somewhat favorably, we can classify more first category recommendations, which can signify that South Africa needs more enhancement of its human rights commitment than adopting new provisions. The most favorable is that South Africa supported most of the recommendations. On the contrary, South Africa failed to comply with these recommendations as most were not implemented. Furthermore, it is attested by many events of human rights violations. The repetition criteria showed inconsistent results since most recommendations were repeated, but some of those repeated South Africa succeeded to implement to the end of the selected period.

Altogether, South Africa can be assigned with an **average** level of compliance.

4.2. Treaty bodies

Until recently, South Africa ratified all UN human rights treaties except the CED, CMW, and the three optional protocols (CESCR-OP, CRC-OP-IC, and CRPD-OP). Due to

the selected period, only the CEDAW can be analyzed as no two following cycles belonging to other UN human rights treaties fall within the selected period.

4.2.1. Convention on the Elimination of Discrimination against Women

Due submission date

The combined second to fourth periodic report was submitted with half a year delay, whereas the fifth periodic report with more than four years delay (UN Treaty Body Database 2023).

Character

Recommendations received from the combined second to fourth cycle were almost equally spread among aiming to execute human rights provisions by other means than legal acts (first category) and aiming to adopt and amend laws (second category) (CEDAW Committee 2011). Regarding second category recommendations, South Africa was called upon to implement all CEDAW's provisions (e.g., to the Gender Equality Bill), review the Traditional Courts Bill to ensure equal access of women to justice, enact comprehensive anti-discrimination legislation, or adopt a new family code that would change unequal inheritance rights. It is worth mentioning that some second category recommendations were combined with first category recommendations. It refers to legally abolishing some harmful practices (e.g., female genital mutilation) while raising societal awareness about these practices. The similar character of recommendation South Africa received regarding trafficking and exploitation of prostitution and employment. Entirely first category recommendations addressed a low lack of awareness of the CEDAW in society, promotion of gender equality, raising the participation of women in political and public life, equal access to education, or lower disproportionate HIV-infected women.

Recommendations from the following (fifth) cycle were more from the first category than in the previous cycle (CEDAW Committee 2021). Nevertheless, the CEDAW Committee also gave second category recommendations focused on the necessity to adopt a comprehensive gender equality law, eradicate the statelessness of children born to undocumented women by amendment of the Births and Deaths Registration Act and amend family law regarding governing marriages, inheritance law and prohibition of child marriages. Similarly to the previous cycle, some of the recommendations mixed both categories. It refers to recommendations on gender-based violence, harmful traditional practices, or employment. Entire first category recommendations addressed the lack

of awareness of the CEDAW in society, women's access to justice, strengthening NHRI, human rights trafficking, etc.

Events of human rights violation

Referring to the previous UPR assessment, the most significant event of human rights violations encompasses cases of gender-based violence. According to the HRW, gender-based violence increased exponentially during the COVID-19 pandemic, including sexual exploitation and teenage pregnancies (Human Rights Watch 2022). Cases of sexual assault and rape almost tripled compared to pre-lockdown rates. Furthermore, according to UN data, around 4% of girls and women ages 14 to 19 reported being pregnant between 2013 and 2018 (Human Rights Watch 2022).

Repetition

Almost all recommendations were repeated in the following cycle (CEDAW Committee 2011) (CEDAW Committee 2021). The only determined positive aspect is that some of these recommendations were at least partially implemented. On the other hand, the fifth concluding observation report included nine new issues that were not part of the preceding concluding observations.

Implementation

Most recommendations were assessed as *not implemented*. South Africa has not stepped up in raising awareness of the CEDAW among women, although many campaigns were initiated, according to a South Africa report (CEDAW Committee 2021: 3-4). Women's access to justice was also not raised due to existing barriers and low prosecution and conviction rates of sexual violence (Greenbaum 2020). South Africa has not yet abolished the traditional harmful practice called *ukuthwala*[20] (CEDAW Committee 2021: 9). According to the CEDAW Committee, South Africa has not taken concrete measures to ensure equal participation in political and public life (CEDAW Committee 2021: 10-11). The situation of rural women regarding discriminatory practices of access to land ownership, property, and inheritance remained unchanged (CEDAW Committee 2021: 14-15).

A significant part of the recommendations was at least *partially implemented*. South Africa adopted the National Strategic Plan on Gender-Based Violence and Femicide to lower gender-based violence, although implementation is slow (Government of South Africa

[20] „*Ukuthwala is a form of abduction that involves kidnapping a girl or a young woman by a man and his friends or peers with the intention of compelling the girl or young woman's family to endorse marriage negotiations"* (Department of Justice and Constitutional Development 2023).

2020). Similarly, South Africa addressed human trafficking through the National Policy Framework on the Management of Trafficking in Persons Offences (Department of Justice and Constitutional Development 2019). However, South Africa remained a source, transit, and destination country for trafficking in persons. Furthermore, South Africa adopted the amendment to the Employment Equity Act, which implemented the principle of equal pay for work of equal value, albeit enforcement remained low (CEDAW Committee 2021: 12-13). South Africa has also initiated drafting a single marriage bill that can eradicate harmful customary practices; however, the process has not yet been finished (CEDAW Committee 2021: 16).

South Africa *fully implemented* only recommendations regarding the involvement of parliament in the CEDAW's implementation and incorporation of the CEDAW into national law.

4.2.2. Summary of treaty body[21]

a) Due submission date (AVERAGE)

South Africa evinces diverse outcomes as one report was submitted with a half-a-year delay whereas the following one with more than four years delay.

b) Character (GOOD)

Recommendations given by the CEDAW were equally spread, with a slight tendency towards more first category recommendations in the following cycle.

a) Events of human rights violation (BELOW AVERAGE)

South Africa witnessed several events of human rights violations, especially gender-based violence. Due to their repetitive character, they show deep-rooted and internal problems.

b) Repetition (BELOW AVERAGE)

Almost all recommendations were repeated, and above all, they increased in number.

c) Implementation (BELOW AVERAGE)

Analyzes of recommendations and provisions showed that South Africa could implement second category recommendations. It means that *de jure*, South Africa complies with most of its commitments. Nevertheless, the actual state showed that even national legislation is rarely obeyed, and first category recommendations were assessed the most as not implemented or only partially implemented.

Altogether, South Africa can be assigned with an **average** level of compliance.

[21] Since only one UN treaty body can be assessed, it is not necessary to include the partial summary.

Table 7					
Treaty	**Ratification**	**Reservation**	**Reporting cycles**	**Due date (submission)**	**Due date (submission)**
CAT	1998	NO	II (1)	30/06/2009 (22/09/2017)	
CAT-OP	2019	NO	-	-	-
CCPR	1998	NO	I (1)	10/03/2000 (26/11/2014)	-
CCPR-OP1	2002	NO	-	-	-
CCPR-OP2-DP	2002	NO	-	-	-
CED	NO	NO	NO	-	-
CEDAW	**1995**	**NO**	**II-IV, V (2)**	**14/01/2009 (02/07/2009)**	**01/02/2015 (09/05/2019)**
CEDAW-OP	2005	NO	-	-	-
CERD	1998	NO	IV-VIII (1)	09/10/2010 (26/11/2014)	
CESCR	2015	NO	I (1)	12/04/ 2017 (27/04/2017)	-
CESCR-OP	NO	NO	-	-	-
CMW	NO	NO	NO	-	-
CRC	1995	NO	II, III-VI (2)	15/02/2002 (26/11/2014)	-
CRC-OP-AC	2009	NO	-	-	-
CRC-OP-SC	2003	NO	-	-	-
CRC-OP-IC	NO	NO	-	-	-
CRPD	2007	NO	I (1)	30/12/2009 (26/11/2014)	-
CRPD-OP	NO	NO	-	-	-
Source: UN Treaty Collection and UN Treaty Body Database					

5. Bahrain

Bahrain (officially the Kingdom of Bahrain) is considered a parliamentary semi-constitutional monarchy; however, the royal family de facto holds absolute power over the state (including executive, legislative and judicial power). Bahrain is an island state in Western Asia (Middle East) on the Persian Gulf, where Bahrain is the smallest state.

5.1. UPR

Response – good

Under the selected period, Bahrain was first reviewed during the second UPR cycle in May 2012. Bahrain received 176 recommendations; 156 were supported, and 20 were noted.[22] Supported recommendations focused the most on justice, women's rights, and international instruments (UPR-Info 2023).

The following (third) UPR cycle took place in May 2017. Bahrain received more recommendations than in the previous cycle (216), while 143 were supported and 73 were noted only. Supported recommendations focused the most on women's rights, freedoms of expression and association, human rights education, and justice (UPR-Info 2023). Those only noted focused the most on international instruments, women's rights, and torture.

During both cycles, Bahrain accepted most of all recommendations, but more recommendations were noted during the third cycle (UPR-Info 2023). During the second UPR cycle, Bahrain mostly noted recommendations on international instruments, the death penalty, and justice. Bahrain refused to support the recommendation on repealing the death penalty from its legal system, accession to both of the CESCR's optional protocols Rome Statute. Specifically, Bahrain denied accepting that Abdulhadi Al Khawaja would have been transferred to the Danish authorities for medical treatment. It is worth noting that Bahrain also has the most supported recommendations tackling international instruments and justice.

During the third cycle, Bahrain mostly noted recommendations on international instruments, the death penalty, and torture (UPR-Info 2023). Even though similar issues were covered, Bahrain newly noted recommendations about the practice of revocation of citizenship and acceptance of UN special procedures.

[22] As only supported recommendations present state's will to implement recommendations, we can omit noted ones which is in line with the thesis's aim to assess states' compliance.

Character – below average

Although recommendations that aim to execute human rights provisions by other means than legal acts (first category) prevailed during the second UPR cycle, a not negligible number of recommendations aiming to adopt, amend laws or ratify treaties (second category) was included (UPR-Info 2023). Second category recommendations focused on the issue of detention that should be brought into compliance with the CCPR, restricted freedoms of association and expression, press law that did not guarantee the freedom of the press or insufficiently criminalized torture. Recommending states urged to prohibit military courts, amend the labor law to secure the protection of domestic workers, and adopt legislation that would allow children of Bahraini mothers and non-Bahraini fathers to obtain Bahraini nationality. Additionally, Bahrain was asked to withdraw reservations to the CEDAW to ratify the CED, CCPR-OP1, and CCPR-OP2-DP. First category recommendations aimed enhancement of education to disabled children and inclusion of human rights education besides other issues. A significant number of these recommendations focused on the implementation of the recommendations of the Bahrain International Commission of Inquiry and to accept special procedures like standing invitations or visits of special rapporteurs.

The following cycle also included more first category recommendations with many second category recommendations (UPR-Info 2023). Second category recommendations focused more on abolishing the death penalty and the amendment of the anti-terrorism law. Second category recommendations were very similar to previous ones, but they newly included recommendations focusing on strengthening the capacity of the NHRI.

Events of human rights violation - poor

Most of all events of human rights violations related to or followed the 2011 uprising. It comprises the ongoing detention of Bahraini political prisoners in atrocious conditions with clear signs of torture (children were held alongside adults), the establishment of military courts (National Safety Courts) not complying with international human rights standards (BIRD 2021). Following the 2011 uprising, Bahrain fundamentally restricted the right to assembly, which resulted in violent clashes with security forces and arbitrary detentions. In 2014, the penal code was tightened regarding the offense of the king, which can result in seven years in jail or a big fine (Human Rights Watch 2015). In 2017, a moratorium on the death penalty ended as Bahrain recommenced executions (Human Rights Watch 2018). In 2018, Bahrain adopted civil isolation laws that forbade entirely political opposition

and restricted the operation of human rights defenders, including human rights NGOs, while persecuting certain groups (activists, politicians, etc.) (Human Rights Watch 2022). In 2021, Bahrain further restricted online content by amending the Press Law, according to which news needs the Ministry of Information Affairs' approval (Human Rights Watch 2022). Electronic Media were banned from publishing content that conflicted with Bahrain's national interest.

This incomplete description of the most severe human rights shows that the human rights situation has constantly deteriorates since 2011.

Repetition – below average

Most recommendations were repeated during the third cycle (UPR-Info 2023). It refers to recommendations tackling the issue of political prisoners, restrictions of freedom of association, assembly expression, and press. Recommending states as well repeated recommendations on human rights defenders and education, implementing BICI's recommendations and legislation for citizenship for children of Bahraini mothers and non-Bahraini fathers. Bahrain was again urged to ratify UN human rights treaties and accede to UN special procedures. Surprisingly, some recommendations were not included even though Bahrain had not implemented these recommendations from the second UPR cycle and continued to violate human rights addressed by these recommendations. It refers to recommendations proposing to amend laws on public gatherings, review all National Safety Court decisions, or explicitly prohibit torture in national legislation.

Implementation – poor

a) Implemented

Only a few recommendations can be assessed as implemented or at least partly implemented. Bahrain prosecuted state officials for torture, but it excluded high ranks officials. Bahrain improved its labor law as the "flexible" permit for foreign workers was introduced contrary to the "kafala," where a migrant was tight to the specific employer (ADHRB 2016). Bahrain also made serious efforts to address human trafficking. On the other hand, migrant workers are still subject to forced labor, or they have their passports withheld (U.S. Department of State 2022). Regarding women's rights, Bahrain adopted the new family law that enhanced women's status under inclusive legal status (PartnersGlobal 2023). Although women still suffer from widespread discrimination and are not monitored for domestic violence (ADHRB 2022).

b) Not measurable

Many recommendations were of a very general character that they could not be assessed (UPR-Info 2023). Furthermore, recommendations addressing adequate education for persons with disabilities could not be assessed due to a lack of sources.

c) Not implemented

Practically almost all recommendations were assessed as not implemented. Bahrain did not implement all recommendations referring to the events of 2011. Bahrain neither releases political prisoners, reinstated employees, and students dismissed after their involvement in protests nor refers trials before the National Safety Courts to civilian courts (Human Rights Watch 2021). According to the UK Parliament research briefing, there are still potentially 1, 400 political prisoners, including human rights defender Abdulhadi Al-Khawaja whose case was actively followed by the EU (House of Commons Library 2022). Bahrain did not improve detainees' conditions, which still face physical abuse and low access to medical treatment. They were rather cases of detainees' deaths (Reuters 2014). Bahrain's National Consensus Dialogue, which aimed to find a settlement over the country's future direction, failed as opposition leaders were arrested (Fakhro 2013). Also, all recommendations addressing freedom of association, opinion, expression, and assembly must be considered as not implemented. Before the third UPR cycle, the Bahrain Institute for Rights and Democracy reported that harsh restrictions on media continued while only one media not controlled by the government operated, legislative restrictions on peaceful assembly increased since the previous UPR and political opposition faced oppression and imprisonment (Human Rights Watch 2021). The course was confirmed by civil isolation laws passed in 2018 that denied opposition from running for parliament (Human Rights Watch 2022). Although Bahrain supported withdrawing reservations from the CEDAW and ratifying other UN human rights treaties, Bahrain did not comply with these recommendations. Bahrain neither accepted any of the human rights special procedures (OHCHR 2023). A report on Bahrain's implementation of the BICI's recommendations concluded that only 2 out of 26 BICI's recommendations were fully implemented (moderation of death sentences imposed on participants of 2011 protests and establishment of an ombudsman responsible for dealing with complaints on criminal proceedings) (BIRD 2015). Recommendations regarding torture prohibition were not as well implemented, despite Bahrain's reform pledges; torture remained deeply integrated into the Bahraini justice system, including coerced confessions (ADHRB 2021). Above all, Bahrain

abandoned the moratorium on the death penalty in 2017, which the UN Special Rapporteur regarded as extrajudicial executions (Human Rights Watch 2018). Not all National Safety Courts decisions were reviewed by civilian courts. Regarding recommendations on women's rights, Bahrain did not enact a law to provide full citizenship rights for the children of Bahrain mothers and non-Bahrain fathers (BCHR 2023).

Summary

UPR recommendations' analysis showed negative results as almost all recommendations were assessed as not implemented. Additionally, Bahrain witnessed a rising tendency of severe events of human rights violations that showed Bahrain's human rights record deteriorated over the selected period. Even though Bahrain received more first category recommendations the not negligible number of recommendations advised to amend laws. Furthermore, the vast majority of recommendations were repeated in the following cycle. Only positive results are visible in most accepted recommendations. Unfortunately, it did not lead to human rights improvements.

Altogether, Bahrain can be assigned with **below average** level of compliance; hence it is only based on positive response records.

5.2. Treaty bodies

Until recently, Bahrain ratified all UN human rights treaties except the CED, CMW, and all optional procedural protocols. Due to the selected period, the CEDAW and CRC can be analyzed as no two following cycles belonging to other UN human rights treaties fall within the selected period.

5.2.1. Convention on the Elimination of Discrimination against Women

Due submission date – excellent

The third periodic report was submitted in due time, whereas the fourth periodic report with one month delay (UN Treaty Body Database 2023).

Character – average

Recommendations from the third cycle were equally spread among aiming to execute human rights provisions by other means than legal acts (first category) and aiming to adopt, amend laws (second category) while some were of mixed character (CEDAW Committee 2014). Regarding second category recommendations, Bahrain was called upon to withdraw reservations that, according to the CEDAW, were incompatible with the object

of the CEDAW and to ratify the CEDAW-OP. Other second category recommendations dealt with discriminatory Penal Code and Nationality Law. According to the latter, Bahraini men automatically conferred their nationality to their children, while Bahraini women did not. In connection to families, Bahrain was called upon to adopt a new family law to guarantee the same family status for all members of Bahraini society. Furthermore, Bahrain was asked to adopt laws enabling the free operation of women's civil society groups and allowing abortion in cases of rape and incest. Mixed recommendations tackled the necessity of adopting a bill to combat domestic violence while ensuring women had access to protection. A similar pattern had recommendations on female migrant workers and their access to health. First category recommendations dealt with low enforcement of discriminatory practices, continuous stereotypes in Bahraini society, and the absence of a strategy against human trafficking. Additionally, Bahrain was asked to increase the number of women in politics, secure the safe operation of women human rights defenders, and advance the NHRI to comply with Paris Principles.

Recommendations from the fourth cycle had very similar representation, and most remained with the same character compared to the previous cycle (CEDAW Committee 2023). Only recommendations on violence against women and healthcare became solely the second category recommendations (the CEDAW Committee named laws that needed amendments).

Events of human rights violation – below average

Human rights violations relate the most to persisting violence against Bahraini women. The study revealed 49% of women included in the sample were subjected to physical violence (ADHRB 2022). The vast majority of those Bahraini women witnessed psychological violence. Among other persisting violations, we can include the incapability of some Bahraini women to grant citizenship to their children (BCHR 2023). The gender pay gap and low women's political representation remain despite laws abolishing these issues (ADHRB 2022).

Repetition – poor

Almost all recommendations were identically repeated in the following cycle (CEDAW Committee 2014) (CEDAW Committee 2023). Furthermore, those not included were assessed as not implemented. Also, another seven new issues were included in the following cycle.

Implementation – poor

Almost all recommendations were assessed as *not implemented*. Bahrain neither repealed reservations to the CEDAW nor ratified the optional protocol. Bahrain did not change discriminatory practices relating to women as legislation remained discriminatory, and Bahrain failed to proceed with reform (CEDAW Committee 2023: 3-4). Stereotypes persist in Bahraini society (CEDAW Committee 2023: 5). Bahrain did not adopt quotas to enhance the situation of women (CEDAW Committee 2023: 5). Bahrain failed to address violence against women through revisions of the Penal Code and further protection of female migrant workers (CEDAW Committee 2023: 9). No progress was obtained concerning women's human rights defenders, nationality, and health laws as Bahrain even increased harassment of defenders and threats of human rights NGOs; women still face inequality in conferring their nationality to their children, and abortion remains illegal (CEDAW Committee 2023: 5, 8, 9-10).

Some recommendations can be at least assessed as *partially implemented*. Bahrain adopted the action plan against trafficking and established the assistance center; however, rates of labor trafficking remained high (CEDAW Committee 2023: 6-7). According to the CEDAW Committee, Bahrain made little progress in the equal participation of women in political and public life, but the number of women in state institutions remained low (CEDAW Committee 2023: 7). Bahrain adopted a new unified Family Law, which fails to provide equality and adequate access to justice in family issues (CEDAW Committee 2023: 10-11). Bahrain succeeded in partial accreditation of its NHRI but processes and information about the operation remained unclear (CEDAW Committee 2023: 4). Furthermore, Bahrain adopted new legislation prohibiting wage discrimination. However, information lacks how this law is enforced, and women, after marriage, still need consent from their husbands to be able to work (CEDAW Committee 2023: 8-9).

No recommendation was assessed as *fully implemented*.

Summary

Bahrain was assessed with the best results regarding the due submission date of periodic reports. The character of recommendations indicates that Bahrain has already stepped up in compliance with human rights provisions, but second category recommendations show that the CEDAW Committee urged Bahrain to comply with the most essential human rights provisions. Furthermore, even a high number of human rights violations and almost

no implemented recommendations and almost all of them repeatedly give evidence of very low level of compliance.

Therefore, Bahrain can be assigned with a **below average** level of compliance.

5.2.2. Convention on the Rights of the Child

Due submission date – average

The combined third to fourth periodic report was submitted with five years delay, whereas the combined fourth to sixth periodic report was submitted three days before the due date (UN Treaty Body Database 2023).

Character – average

Recommendations from the combined second to third cycle aimed more to execute human rights provisions by other means than legal acts (first category); however, compared to any previous concluding observation reports, many were combined with recommendations aiming to adopt, amend laws or ratify treaties (second category) (CRC Committee 2011). Among mixed recommendations, we can categorize recommendations urging to amend the national laws regarding the minimum age of marriage, discrimination, corporal punishment, domestic violence, and sexual abuse while carrying out awareness-raising programs on these issues. The most prevailing first category recommendations addressed proper budgeting, improvements in data collection, awareness raising of the CRC, and the child's right to be heard. Other first category recommendations were also focused on promoting breastfeeding, adolescent health, education, and effective enforcement of applicable sanctions against persons violating existing legislation on child labor. Second category recommendations dealt with the adoption of various non-existing laws in Bahrain (the Child Rights and Education Bill, the Law on the Family, the Law on Civil Society, and the Law on Personal Status), revising laws regarding the possibility of receiving citizenship even from Bahraini mother and non-citizen father.

Recommendations received from the combined fourth to sixth cycle were almost evenly distributed among both categories compared to preceding cycle (CRC Committee 2019). Differently, the CRC Committee recommended stronger measures to ensure that the business sector complies with all human rights norms by adopting a specific law. Newly, the CRC Committee raised the topic of censorship that undermined access to appropriate information and welcomed the establishment of the helpline while its existence should be promoted. Bahrain was also asked to ratify the CRC-OP-IC.

Events of human rights violation – below average

In addition to events in the UPR assessment, Bahrain Institute for Rights and Democracy (the BIRD) and the HRW reported that Bahrain: "*beat, insulted, and threatened to rape four boys, ages 15 to 17, in detention in late 2020 and 2021*" (BIRD 2021). Bahrain's officials, including the ombudsman of Bahrain's Interior Ministry, denied that those events had happened (BIRD 2021). Nevertheless, the BIRD and HRW have direct testimonies substantiated by documents and evidence of threats of rape and electric shocks. Amnesty International reported cases where boys were prosecuted as adults (Amnesty International 2012). Ultimately, the CRC Committee raised concerns about the effectiveness and independence of special investigation for investigation allegations of torture (CRC Committee 2019: 7).

Repetition – poor

De facto, all recommendations were repeated in the following cycle (CRC Committee 2011) (CRC Committee 2019). The only recommendation not repeated includes advice to adopt the comprehensive action plan, which was adopted in 2013. Additionally, Bahrain received recommendations that tackled seven other new issues.

Implementation – below average

Most recommendations were assessed as *not implemented*. Bahrain did not change the legal minimum age of marriage to 16 years (the Sharia courts may grant permission for girls under 16 years to marry) (CRC Committee 2019: 4). Bahrain fails to address discrimination as *de facto* discrimination against girls, children with disabilities, and children born to foreign or stateless fathers persist (CRC Committee 2019: 5, 10). Freedom of expression, association and peaceful assembly, and cooperation with civil society even deteriorated due to possible punishment for children under 15 years, with a possibility for them to be arrested for participating in public demonstrations (CRC Committee 2019: 6, 12-13). Fathers continue to have priority in the guardianship of their children, and children are still extensively placed in childcare institutions rather than in alternative care institutions (CRC Committee 2019: 9). Ultimately, child labor persists in Bahrain, and Bahrain has not yet amended its laws regarding sexual exploitation and abuse (CRC Committee 2019: 13).

Bahrain at least *partially implemented* many recommendations. Among those, we can name the adoption of the Child Act; however, Bahrain has preserved the existence of other complementary laws (Sunni, Jaffari, etc.) (CRC Committee 2019: 2). Bahrain included the child's best interest principle, but it is not considered the primary consideration

(CRC Committee 2019: 5). Bahrain established a special investigation unit in 2012 to investigate allegations of torture. On the other hand, Bahrain continued to detain children, for example, during riots while using tear gas and ill-treated children in detention centers (CRC Committee 2019: 7). Bahrain launched awareness-raising programs against corporal punishment, but corporal punishment remained legal (CRC Committee 2019: 7). Similarly, Bahrain advanced in girls' education and vocational training, but gender stereotypes remained the same (CRC Committee 2019: 11).

Bahrain did *not fully implement* any recommendation of the CRC Committee.

Summary

Bahrain's best assessment relates to reports' due submission dates and recommendations characters; however, Bahrain witnessed many events of human rights violations, and most recommendations were assessed as not implemented. The worst results stem from the repetition assessment.

Therefore, Bahrain can be assigned with a **below average** level of compliance.

5.2.3. Summary of treaty bodies

a) Due submission date (GOOD)

Bahrain usually succeeded in submitting its reports in due time (even before) or with minor delay (1 month). The deviation represents the submission of the combined third to fourth periodic report with a five years delay.

b) Character (AVERAGE)

Recommendations from the CRC Committee were determined as first category recommendations in both cycles. Regarding the CEDAW, both cycles had an equal distribution of recommendations in both categories.

c) Events of human rights violation (BELOW AVERAGE)

More human rights violations were detected in connection to the CEDAW, including violence against women, the lower status of women manifesting in many spheres (citizenship for their children, marriage, work, and education), and deep-rooted discrimination. Regarding the CRC, fewer events were detected (only repeated state-conducted violence against boys). On the other hand, those events are severe and show structural problems in Bahraini institutions.

d) Repetition (POOR)

Almost all recommendations were assessed as repeated. Additionally, those not repeated were assessed as not implemented. Ultimately, in the following cycles, new recommendations were included.

e) Implementation (POOR)

Bahrain did not fully implement any assessed recommendations from the CEDAW and CRC committees. Some CEDAW's Committee recommendations were assessed as partly implemented, while Bahrain partly implemented more recommendations from the CRC Committee. On the contrary, even though Bahrain at least partly implemented some recommendations, the factual level of human rights protection remained quite often the same. Therefore, the impact of implementation remained low.

Altogether, Bahrain can be assigned **below average** level of compliance.

Table 8

Treaty	Ratification	Reservation	Reporting cycles	Due date (submission)	Due date (submission)
CAT	1998	YES	III (1)	30/04/2011 (01/10/2015)	
CAT-OP	NO	NO	-	-	-
CCPR	2006	YES	I (1)	20/12/2007 (02/03/2017)	-
CCPR-OP1	NO	NO	-	-	-
CCPR-OP2-DP	NO	NO	-	-	-
CED	NO	NO	NO	-	-
CEDAW	**2002**	**YES**	**III, IV (2)**	**18/07/2011 (18/07/2011)**	**01/02/2018 (09/03/2018)**
CEDAW-OP	NO	NO	-	-	-
CERD	1990	YES	VII-XIV (1)	28/08/2018 (03/04/2019)	
CESCR	2007	NO	I (1)	30/12/ 2009 (03/12/2019)	-
CESCR-OP	NO	NO	-	-	-
CMW	NO	NO	NO	-	-
CRC	**1992**	**NO**	**II-III, IV-VI (2)**	**14/03/2004 (12/02/2009)**	**14/09/2017 (11/09/2017)**
CRC-OP-AC	2004	NO	-	-	-
CRC-OP-SC	2004	NO	-	-	-
CRC-OP-IC	NO	NO	-	-	-
CRPD	2011	NO	I (1)	22/10/2013 (12/10/2017)	-
CRPD-OP	NO	NO	-	-	-

Source: UN Treaty Collection and UN Treaty Body Database

6. Honduras

Honduras (officially the Republic of Honduras) is a unitary presidential state in Central America. Honduras was established in 1839. Honduras went through decades of military rule and elected governments. In 2009, the Honduran coup d'état led by the military and the Supreme Court of Honduras removed President Manuel Zelaya from office.

6.1. UPR

Response - good

During the selected period, Honduras was first reviewed during the second UPR cycle in May 2015. Bahrain received 182 recommendations; 151 were supported, and 31 were noted.[23] Supported recommendations focused the most on justice, women's rights, and human rights defenders (UPR-Info 2023).

The following (third) UPR cycle took place in May 2020. Honduras received more recommendations than in the previous cycle (259), while 228 were supported and 31 were noted only. Supported recommendations focused the most on women's rights, gender-based violence, and the rights of the child (UPR-Info 2023). Those only noted the most on international instruments, women's rights, and the rights of the child.

Honduras accepted nearly all of the recommendations during both cycles, while during the third cycle, fewer recommendations were noted compared to more recommendations received (UPR-Info 2023). Almost all from little noted recommendations from the second UPR cycle related to international instruments (CESCR-OP[24], CRC-OP-IC, and CEDAW-OP), women's rights, and general ESC rights. Notably, recommendations on women's rights were among the most supported.

During the third UPR cycle, Honduras noted the most recommendations related to international instruments, women's rights, and the rights of the child (UPR-Info 2023). Aside from calls to ratify the CEDAW-OP and CRC-OP-IC, Honduras also received recommendations to ratify regional treaties (Inter-American Convention against Racism,

[23] As only supported recommendations present state's will to implement recommendations, we can omit noted ones which is in line with the thesis's aim to assess states' compliance.

[24] Even though Honduras noted recommendations addressing ratification of the CESCR-OP Honduras ratified the optional protocol in 2018 (before the third UPR cycle was performed).

Racial Discrimination and Related Forms of Intolerance, Escazú Agreement[25]) or the Domestic Workers Convention of the International Labour Organization.

Character - good

Only a few recommendations from the second cycle were assessed as aiming to adopt, amend laws or ratify treaties (second category) (UPR-Info 2023). Honduras was asked to adopt a new law to protect human rights defenders, journalists, and judiciary officials. Furthermore, recommending states advised to implement the Rome Statute fully and change laws regarding weapons and firearms to introduce a reduction policy. Some second category recommendations focused on developing new laws against racial discrimination and women's and children's rights, aiming to lower violence and femicide.

Nevertheless, the vast majority of recommendations aimed to execute human rights provisions by other means than legal acts (first category). They addressed improving detention conditions and investigating violations against journalists and human rights defenders. Many recommendations focused on implementing the National Action Plan on Human Rights 2013-2022, strengthening the independence of the judiciary, and stepping up in the fight against impunity. Related recommendations addressed the human rights education of state officials. A significant number of recommendations focused on the issue of unaccompanied migrant children, enhancing public security limited by armed gangs (often composed of children), and lowering gender-based violence.

Even fewer second category recommendations were included in the third cycle. They addressed diverse issues, including the legislation of private security companies, environmental challenges, fundamental freedoms, criminal code reform, torture, and violence against women. However, these recommendations did not repeat compared to second category recommendations in the previous cycle. Regarding first category recommendations, they did not deal with a completely new human rights issue. Nevertheless, more recommendations focused on eliminating discrimination based on sexual orientation and gender identity, human trafficking, and women's rights doubled.

Events of human rights violation – below average

The human rights violations increased after the 2009 coup d'état and the gravity and issues remained unchanged. Firstly, Honduras lacked accountability for post-coup abuses committed by police and military against the peaceful demonstration, journalists, etc

[25] The Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean

(Human Rights Watch 2012). The most severe events relate to widespread violence. Honduras suffers from constant attacks on journalists resulting in deaths or, better, death threats. The HRW reports give evidence of yearly cases of tens of deadly attacks on the journalist that usually remained uninvestigated and without conviction (Human Rights Watch 2022). Violence attacks do not refer only to journalists. However, they include general rural violence (more than 30 people were killed between January and August 2011 in the Bajo Aguan valley), violence against the LGBT minority population, and violence and threats against human rights defenders (Human Rights Watch 2012). The example represents José Guadalupe Ruelas, who criticized authorities for failing to protect children from organized crime, was arbitrarily detained and violently beaten by military police (Amnesty International 2014). Therefore, violent attacks committed by gangs referred also to children. For example, in 2014, five adolescents believed to be associated with the Mara Salvatrucha gang were killed in the El Carmen Pedagogical Center for Rehabilitation (Human Rights Watch 2015). Furthermore, prisons suffer from overcrowding, poor sanitation, and inadequate nutrition. Honduras failed to properly investigate the 2012 fire at Comayagua prison that killed 362 people. In 2019, members of the gang killed 37 detainees (Human Rights Watch 2013). Violence does not avoid either woman, as even in 2021, Honduras had the highest rate of femicides in Latin America (Human Rights Watch 2022). Additionally, abortion remains illegal under all circumstances. Finally, those violent attacks are framed by undermined judicial independence (in 2012, Congress voted to remove four of the five justices in the Supreme Court's Constitutional Chamber), general impunity of police and military for their abuses (Human Rights Watch 2013).

Repetition – below average

The majority of recommendations were repeated, addressing impunity of state officials, protection of human rights defenders and journalists, promotion of tolerance towards the LGBT community, trafficking, and femicides (UPR-Info 2023). Recommending states again advised to deal with inadmissible involvement of business in public affairs, lower widespread corruption, improve conditions in detention and protect more indigenous communities. They also urged to guarantee the independence of the judiciary and effective investigation. Finally, states again recommended improving children's protection from violence and the education system.

Even though not a negligible number of recommendations were omitted, no recommendations focused on implementing national action plans, advancement on

NHRI, and unaccompanied children. Nevertheless, some of these recommendations' implementation could not be assessed. Most importantly, Honduras did not receive recommendations on the full implementation of the Rome Statute, the adoption of the law for the protection of human rights defenders, and journalists, the adoption of the gun reduction and control law, adoption of laws against racial discrimination. The last-named recommendations correspond with implemented ones.

Implementation – below average

a) Implemented

Honduras implemented some recommendations the most related to laws amendments (second category recommendations). In June 2016, Honduras adopted a new law on protecting human rights defenders and journalists, which at least *de jure* guarantees the protection of those highly vulnerable groups to violence (Human Rights Watch 2017). Honduras also stepped in to guarantee human rights for migrants (especially unaccompanied children) by amending the legislation and providing help to those affected. In 2019, Honduras fully complied with its NHRI with Paris Principles. Honduras tightened its regulation of weapons and firearms (Dudley 2017). Furthermore, Honduras amended its penal code, where the offense of racial discrimination was revised, and other penalties were included. According to the Trafficking in Persons Report, Honduras increased efforts in tackling human trafficking by higher penalties for trafficking crimes, identifying more victims, and nearly doubling funding to an NGO providing shelter (U.S. Department of State 2022). Finally, Honduras positively responded to technical recommendations addressing due participation in the UN treaty body's mechanisms and special procedures.

b) Not measurable

Many recommendations could not be assessed due to particular characters and no data available. It includes recommendations on implementing national human rights action plans to tackle education, racial discrimination, and gender equality (UPR-Info 2023). Additionally, no data were found about the human rights training of judiciary officials.

c) Not implemented

Most of all, recommendations were not implemented. Even though Honduras passed several bills, as mentioned above, the independence of the judiciary, impunity of state officials, and protection of journalists and human rights defenders from attacks and murders did not improve (Freedom House 2022). Judicial appointments are not transparent, and even independence is not protected from legislative power. Impunity remains a widespread

problem connected with high corruption (Freedom House 2022). For example, 91% of 373 murders of LBGT+ people between 2009 and 2020 were not investigated (Freedom House 2022). According to the National Commissioner for Human Rights in Honduras (CONADEH), more than 80 journalists have been murdered since 2001, and Honduran authorities systematically violate freedom of the press (CERD Committee 2016). Since January 2014, the Inter-American Commission on Human Rights (IACHR) and the OHCHR have documented the murders of at least 75 human rights defenders (Freedom House 2022). The problem also includes arbitrary detentions in overcrowded prisons that do not meet adequate sanitary conditions (Global Detention Project 2015). Recommendations addressing these topics were the most numerous. Honduras did not implement recommendations on discrimination of indigenous and Afro-Honduran communities that suffer from social exclusion, poverty, and intimidation which is significantly higher in comparison to the general population. Above all, according to the OXFAM, 74% of the population lives below the poverty line (Oxfam 2023). Furthermore, Honduras failed to solve issues with the disproportionate intervention of business activities to the rights of indigenous and other communities, especially regarding development activities that breach the interests of affected people (OHCHR 2019). In 2021, the Inter-American Court of Human Rights (IACHR) ruled that Honduras must track and investigate hate crimes against LGBT people, although Honduras had received such a recommendation before (Brigida 2021). Since 2009 more than 300 LGBT Hondurans have been killed. Finally, Honduras received numerous recommendations on violence against women; Honduras suffers from the highest femicide rates worldwide, and these murders are rarely investigated (Contra Corriente 2020).

Summary

UPR recommendations' analysis showed rather negative results. Honduras failed to implement the given recommendations. Furthermore, if recommendations were assessed as implemented, they referred to law amendments and adoptions that did not lead to visible human rights improvements. Honduras suffers from almost stable human rights violations that neither deteriorated nor improved, albeit the situation was already unfavorable at the beginning of the selected period; therefore, the stability cannot be assessed positively. Also, the majority of the most important recommendations were repeated. Better performance was only spotted in less second category recommendations and good response records. There must be a doubt if the former is a positive sign. Although recommendations

were sorted among first category recommendations, they addressed severe issues that Honduras failed to accomplish.

Altogether, Bahrain can be assigned with **below average** level of compliance; hence it is only on the grounds of a positive response record.

6.2. Treaty bodies

Until recently, Honduras ratified all UN human rights treaties except three optional protocols (CEDAW-OP, CRC-OP-IC, and CRPD-OP. Cycles of five UN human rights treaties fall within the selected period (CAT, CED, CEDAW, CERD, CESCR).

6.2.1. Convention against Torture

Due submission date – average

The state party report under the second cycle was delayed two years, whereas the following was submitted only one month after the due date (UN Treaty Body Database 2023).

Character – good

Almost all recommendations from the second cycle aimed to execute human rights provisions by other means than legal acts (first category) (CAT Committee 2016). Most of these recommendations advised ensuring prompt and impartial investigation. It concerns all recommendations addressing complaints of torture, excessive use of force, suppression of demonstrations, enforced disappearance, deaths in custody, gender-based violence, and violations against human rights defenders and journalists. Some first category recommendations focused on the enhancement of safeguards during detention, improvement of detention conditions, and the necessity to provide full redress to victims of torture. Furthermore, Honduras was asked to continue mandatory human rights training of civil servants and armed forces. Recommendations aiming to adopt, amend laws or ratify treaties (second category) focused on the necessity to amend criminal legislation to ensure that all acts of torture are punishable by appropriate penalties and ensure voluntary prison labor. Finally, Honduras was asked to consider adopting legislative measures to guarantee the judiciary's independence and legalize abortion.

Assessment of the following cycle recommendations is impossible as the concluding observations report has not been finished yet.

Events of human rights violation – poor

Many human rights violations related to the CAT are connected to violent attacks, insufficient investigations, and poor detention conditions. For more see the relevant part of the UPR assessment.

Repetition

The repetition assessment cannot be performed as the concluding observations report has not been finished yet.

Implementation – poor

a) Implemented

Honduras implemented only one recommendation addressing appropriate penalties for torture through adopting the new penal code. However, there is no statute of limitations for the offense of torture (Freedom House 2022).

b) Not measurable

Recommendations on the control and inspections of the prison system, forced prison labor, and training of civil servants cannot be assessed due to a lack of data.

c) Not implemented

All recommendations on a prompt and impartial investigation must be assessed as not implemented due to the constant failure of Honduras to guarantee a functional judiciary (Freedom House 2022). That is why recommendations on the independence of the judiciary must be depicted as not implemented. Finally, detention centers remain overcrowded, with poor guarantees of access to health care and sanitation (Freedom House 2022). They are also many cases of arbitrary detentions.

Summary

Honduras attained the best results regarding more first category recommendations. Improvement is visible in submission date of the following report. Nevertheless, Honduras suffered from many human rights violations and almost all recommendations remained not implemented.

Therefore, Honduras can be assigned with a **below average** level of compliance.

6.2.2. Convention for the Protection of All Persons from Enforced Disappearance

Due submission date – average

The initial state's party report was submitted three years after the due date, the first follow-up report almost on the due date, and the second follow-up report almost three months delay (UN Treaty Body Database 2023).

Character – average

Honduras received an almost equal number of recommendations aiming to execute human rights provisions by other means than legal acts (first category) and aiming to adopt, amend laws or ratify treaties (second category) (CED Committee 2018). In general, the CED Committee stated that Honduras's laws were not entirely consistent with the CED. It refers to the definition and character of the offense of enforced disappearance in the Honduran penal code, the lack of criminal responsibility of superiors, lack of jurisdiction over all offenses of enforced disappearance committed abroad. Honduras was also urged to amend its definition of victim and the legal situation of disappeared persons whose fate has not been clarified. Additionally, Honduras was encouraged to recognize the CED Committee's competence to receive and consider individual and inter-State communications.

Regarding first category recommendations, the CED Committee proposed establishing a consolidated register of all cases of enforced disappearance, registers of persons deprived of liberty, and securing human rights training for Honduran officials. Nevertheless, all other recommendations related to procedural issues connected to a not independent investigation, insufficient search for disappeared persons, harassment of disappeared persons' relatives and human rights defenders, and not securing fundamental legal safeguards to all persons deprived of their liberty.

Under the CED, the state party only submits the initial report, followed by *ad hoc* additional information as requested by the CED Committee. Honduras sent the two follow-up reports in 2019 and 2021 without any response from the CED Committee (UN Treaty Body Database 2023).

Events of human rights violation – below average

Besides others mentioned in the UPR assessment, Amnesty International reported in 2020 five victims of apparent enforced disappearance committed by state security forces

(Amnesty International 2020). Honduras was demanded to conduct a quick and impartial investigation.

Repetition

Due to the specificity of the CED's monitoring mechanism, the repetition assessment is not possible to perform.

Implementation – below average

Honduras especially failed to implement all first category recommendations addressing procedural issues, given that deficiencies in Honduras' judicial system can also apply to enforced disappearance (Freedom House 2022). Honduras admitted in both follow-up reports that the draft bill was submitted to the National Congress 2018, although the bill has not been approved yet (CED Committee 2019, CED Committee 2022). Regarding second category recommendation, Honduras at least partly complied with the CED regarding the definition of enforced disappearance by the adoption of the new penal code; however, even the new penal code is not entirely in line with the CED, although it must be assessed as a step forward (e.g., the establishment of jurisdiction over all offenses of enforced disappearance committed abroad) (Freedom House 2022).

Summary

Honduras attained similar results regarding the character of recommendations and reports' due submission dates. Nevertheless, Honduras suffered from many human rights violations, and almost all recommendations were not implemented. Since cases of enforced disappearance were committed by state security forces and *de facto* Honduras did not implement any recommendations, the results are worsened.

Therefore, Honduras can be assigned with a **below average** level of compliance.

6.2.3. Convention on the Elimination of Discrimination against Women

Due submission date - average

The combined seventh to eighth periodic report was submitted with almost three years delay, whereas the ninth periodic report with less than one month delay (UN Treaty Body Database 2023).

Character – good

Most recommendations from the seventh to eighth cycle aimed to execute human rights provisions by other means than legal acts (first category) (CEDAW Committee 2016). In general, Honduras was asked to raise awareness of the CEDAW, implement quotas,

eradicate patriarchal and discriminatory stereotypes in Honduran society, or increase the participation of women in political and public life. Many first category recommendations focused on ensuring equal access of women to education, health care, and prevention of AIDS. Nevertheless, first category recommendations focused on violence connected to trafficking, women human rights defenders, and women in detention. Some recommendations were assessed within both categories (also aiming to adopt, amend laws or ratify treaties (second category)). It refers to employment, rural women, or marriage, where Honduras was asked to promote better conditions for women while amending its laws. Some second category recommendations dealt with a definition not in line with the CEDAW and the unsatisfactory legal status of the NHRI. Honduras was also asked to consider implementing the CEDAW-OP.

Generally, the following cycle included more first category recommendations and recommendations remained similarly distributed between these two categories (CEDAW Committee 2022). However, some recommendations changed to partially second category recommendations (focused on trafficking, women human rights defenders, or health care) or vice versa (focused on the definition of discrimination).

Events of human rights violation – below average

Besides the many cases mentioned above of femicides, high discrimination against women, and low investigation rates, the HRW reported many human rights violations due to the complete ban on abortion (Human Rights Watch 2019). It leads to a situation when even the helper can be charged with a crime and imprisonment.

Repetition – poor

Except for two recommendations regarding ensuring equal access of women to treatment against AIDS and improvement of data collection, all other recommendations were repeated (CEDAW Committee 2016) (CEDAW Committee 2022). Additionally, during the ninth cycle, Honduras received four new recommendations focusing on women's rights in the COVID-19 pandemic and on migrant women.

Implementation – below average

Almost all recommendations were assessed as *not implemented*. Honduras did not step up in the visibility of the CEDAW; the definition of discrimination and low women's access to justice remained unchanged (CEDAW Committee 2022: 3-4). Similar negative results can be seen in persisting violence relating various groups of women, low participation of Honduran women in political and public life, unsatisfactory healthcare, and not entirely

penalizing child marriages (CEDAW Committee 2022: 6-10, 13-14, 16-17). Honduras has not ratified the CEDAW-OP yet.

Some recommendations can be at least assessed as *partially implemented*. Honduras elevated the National Institute of Women to a State Secretariat for Women's Affairs, with ministerial rank, but no comprehensive national strategy was implemented (CEDAW Committee 2022: 5). Similarly, Honduran NHRI received accreditation from the GANHRI, but its mandate remained blurred (CEDAW Committee 2022: 5-6). Furthermore, Honduras stepped up to ensure equal access to quality education for Indigenous and Afro-Honduran children and adolescents (CEDAW Committee 2022: 10-12). However, the school enrolment of girls remained low compared to boys, including higher dropouts of girls. Finally, Honduras followed the recommendation to use the time-use survey to facilitate understanding gender differences in employment; however, other recommendations remained unsolved (CEDAW Committee 2022: 12-13).

No recommendation was assessed as *fully implemented*.

Summary

Honduras attained the best results regarding the character of recommendations as first category recommendations prevailed. Due submission dates evince the same pattern in comparison with previous UN treaty bodies. Again, Honduras suffered from many human rights violations, and almost all recommendations were not implemented.

Therefore, Honduras can be assigned with a **below average** level of compliance.

6.2.4. Convention on the Elimination of All Forms of Racial Discrimination

Due submission date – average

The state party report under the combined first to fifth cycle was delayed almost six years, whereas the following was only one day delayed (UN Treaty Body Database 2023).

Character - good

Recommendations from the combined first to the fifth cycle aimed to execute human rights provisions by other means than legal acts (first category) (CERD Committee 2014). Most importantly, they included recommendations on combat od structural and multiple discrimination. Nevertheless, some recommendations had specific character as they focused on the participation and involvement of indigenous peoples and Afro-Honduran

communities, the adverse situation of Miskito divers[26] or the Organic Act on Employment and Economic Development Areas. Some were even similar to other UN human rights bodies' recommendations. It includes those tackling the independence of the judiciary, national action plans, and data collection. Some recommendations were assessed as aiming to adopt and amend laws (second category). The CERD Committee advised amending a definition of racial discrimination and offenses connected to it. Honduran NHRI should comply with Paris Principles. Finally, Honduras was asked to recognize the competence of the CERD Committee to receive and consider individual communications and to ratify the amendment to Art. 8 of the CERD[27].

Recommendations from the following sixth to eighth cycle were almost equally spread among both categories with the same issues tackled by them (CERD Committee 2019).

Events of human rights violation – average

No prominent racial discrimination was found; however, evidence from the last CERD report indicates that indigenous peoples in Honduras suffer from deep-rooted and widespread discrimination (CERD Committee 2019: 3).

Repetition – below average

Some recommendations were not repeated in the following cycle (CERD Committee 2014) (CERD Committee 2019). It refers to institutional measures and, for example, to recommendations addressing the Organic Act on Employment and Economic Development Areas. Nevertheless, most recommendations were repeated, and ten new issues were included. It refers to recommendations on developing economic projects, identity documents, right to health and education.

Implementation – below average

Most of all, recommendations must be assessed as *not implemented*. Structural and multiple discrimination against indigenous and Afro-Honduran peoples remains unchanged; furthermore, Honduras has not yet changed the definition of racial discrimination to encompass all elements of the CERD definition (CERD Committee 2019: 2-3). The same situation remains regarding the offense. Indigenous and Afro-Honduran human rights

[26] „*The Miskitu town is an indigenous community that inhabits the Atlantic coast of Honduras and Nicaragua, an area that is in a condition of social and economic abandon in which the only source that is in a condition of social and economic abandonment and whose only source of employment and sustainability has been fishing by way of diving in the sea"* (CEJIL 2023).

[27] Under which members of the CERD Committee receive emoluments from the UN resources.

defenders are subject to severe physical assault (CERD Committee 2019: 5). The situation of Miskito divers did not change (CERD Committee 2019: 6). Honduras has not yet recognized the competence of the CERD Committee to receive and consider individual communications and has not ratified the amendment to Art. 8 of the CERD (CERD Committee 2019: 9).

Only a few recommendations were partly or *fully implemented*. Honduras stepped up in adopting the law on the right of indigenous and Afro-Honduran peoples to prior consultation and to be more included in decision-making; however, the CERD committee identified certain shortcomings in the draft law (CERD Committee 2019: 7). Honduras fully implemented recommendations on institutional measures as the Ministry of Human Rights began operating in 2018 (CERD Committee 2019: 1). Furthermore, the Honduran NHRI received "A" status after assessing its compliance with the Paris Principles (CERD Committee 2019: 2).

Summary

Honduras attained the best results regarding the character of recommendations as first category recommendations prevailed. Due submission dates evince the same pattern in comparison with previous UN treaty bodies. Again, almost all recommendations were not implemented. Surprisingly, no specific events of human rights violations were found; however, they are indications that events exist. Nevertheless, it leads to better level of compliance.

Therefore, Honduras can be assigned with an **average** level of compliance.

6.2.5. Covenant on Economic, Social and Cultural Rights

Due submission date – average

The state party report under the second cycle was delayed almost eight years, whereas the following was five months delayed (UN Treaty Body Database 2023).

Character – good

Most recommendations aimed to execute human rights provisions by other means than legal acts (first category) (CESCR Committee 2016). Among those, we can name recommendations on establishing cooperation with civil society organizations, ensuring the protection of human rights defenders, or securing the independence of the judiciary. Similar first category recommendations also focused on the right to health, the right to food, poverty, and violence against women. A significant number of recommendations were

of *mixed character* (also aiming to adopt, amend laws (second category)). The CESCR Committee advised amending legislation for indigenous people while taking additional measures to safeguard their rights. Furthermore, Honduras was asked to tackle the root causes of corruption, discrimination, and gender equality. Specific recommendations addressed working conditions for women and social security. Only two second category recommendations advised Honduras to amend fiscal policy and wage laws to ensure that all Honduran people can benefit.

Assessment of the following cycle recommendations is impossible to perform as the concluding observations report has not been finished yet.

Events of human rights violation - poor

Due to summarizing character of the CESCR almost all described events of human rights violations can apply. For more information see the previous parts of the assessment of Honduras.

Repetition

The repetition assessment cannot be performed as the concluding observations report has not been finished yet.

Implementation - poor

a) Implemented

Only one recommendation regarding the Honduran NHRI compliance with Paris Principles was fully implemented (GANHRI 2023).

b) Not measurable

Many recommendations could not be assessed due to unavailable data or the impossibility of assessing compliance (CESCR Committee 2016). It refers to recommendations addressing cooperation with civil society, Honduran fiscal policy, unemployment policy, the law on minimum wage, or social security policy.

c) Not implemented

Based on previous assessments, Honduras failed to implement recommendations focusing on human rights defenders, indigenous people, independence of the judiciary, corruption, discrimination, gender equality, violence against women, health, and poverty. Furthermore, Honduras failed to lower the number of internally displaced persons due to many cases recorded.

Summary

Honduras attained the best results regarding more first category recommendations. Significant improvement is visible in submission date of the following report. Nevertheless, Honduras suffered from countless human rights violations and almost all recommendations remained not implemented.

Therefore, Honduras can be assigned with a **below average** level of compliance.

6.2.6. Summary of treaty bodies

a) Due submission date (AVERAGE)

Honduras always submitted all first assessed reports with yearly delays (2 to 8 years). Nevertheless, in the following cycles, reports were submitted almost in due time or with delays of a few months, which can be considered a significant improvement.

b) Character (GOOD)

Almost all recommendations were assessed as aiming to execute human rights provisions by other means than legal acts (first category), and where it was possible to assess, those recommendations remained with the same character even during the following cycle. Only in the case of the CED Honduras received equal number of recommendations of both categories (also aiming to adopt, amend laws or ratify treaties (second category)).

a) Events of human rights violation (BELOW AVERAGE)

Under assessment of the CAT and CESCR, Honduras evinced a high number of serious violations that were repeated over the selected period. In connection to other assessed treaties (the CED, CEDAW, and CERD), fewer human rights violations were detected, although they were repeated and had severe character.

b) Repetition (POOR)

Where it was possible to perform the repetition assessment, almost all recommendations were repeated, and even some new ones were included.

c) Implementation (BELOW AVERAGE)

Honduras rather did not implement the given recommendations. The worst results show recommendations from the CAT, where only one recommendation was assessed as implemented. A similar situation is also visible in the case of the CESCR. Regarding the CEDAW, CERD, and CED, Honduras at least partly implemented some recommendations; however, Honduras rather implemented second category recommendations, whereas first category recommendations remained not implemented.

Altogether, Honduras can be assigned a **below average** level of compliance.

Table 9					
Treaty	**Ratification**	**Reservation**	**Reporting cycles**	**Due date (submission)**	**Due date (submission)**
CAT	**1996**	**NO**	**II, III (2)**	**15/05/2013 (08/05/2015)**	**12/08/2020 (15/09/2020)**
CAT-OP	2006	NO	-	-	-
CCPR	1997	NO	II (1)	31/10/2010 (21/10/2015)	-
CCPR-OP1	2005	NO	-	-	-
CCPR-OP2-DP	2008	NO	-	-	-
CED	**2008**	**NO**	**I, II (2)**	**23/01/2013 (04/02/2016)**	**01/01/2019 (11/06/2019)**
CEDAW	**1983**	**NO**	**VII-VIII, IX (2)**	**02/04/2012 (27/02/2015)**	**30/11/2020 (17/12/2020)**
CEDAW-OP	NO	NO	-	-	-
CERD	**2002**	**NO**	**I-V, VI-VII (2)**	**10/10/2006 (28/12/2012)**	**09/11/2017 (10/11/2017)**
CESCR	**1981**	**NO**	**II, III (2)**	**30/06/2006 (05/05/2014)**	**30/06/2021 (04/11/2021)**
CESCR-OP	2018	NO	-	-	-
CMW	2005	NO	I (1)	01/03/2016 (28/04/2016)	-
CRC	1990	NO	IV-V (1)	03/10/2012 (09/09/2013)	-
CRC-OP-AC	2002	NO	-	-	-
CRC-OP-SC	2002	NO	-	-	-
CRC-OP-IC	NO	NO	-	-	-
CRPD	2008	NO	I (1)	14/05/2010 (31/12/2013)	-
CRPD-OP	NO	NO	-	-	-
Source: UN Treaty Collection and UN Treaty Body Database					

7. Data interpretation

This part of the thesis is devoted to the data interpretation of four case studies to evaluate each of the five hypotheses and respond to the research question. Data interpretation is performed separately for each case study.

First hypothesis: level of democracy

a) The Netherlands

The Netherlands represents the state with the highest level of democracy (rated as a fully democratic state). As the most democratic state, the Netherlands was assessed with the highest level of compliance. Nevertheless, if we look closely at all considered criteria, not all correspond with the hypothesis. Especially during the UPR cycles, the Netherlands noted more recommendations than supported them. In addition, recommendations from the UN treaty bodies were not implemented and tended to repeat. Furthermore, the Netherlands had a better level of compliance in the case of the UPR than in relation to all assessed UN treaty bodies.[28] Different levels of implementation of recommendations primarily cause the difference.

It should be noted that the case study of the Netherlands supports Hathaway's claim that even a democratic state does not necessarily have to comply with human rights obligations if interests conflict (Hathaway 2007: 595-598). Hence, the Netherlands supported only those provisions/recommendations that complied with their interests, but if they were supported, they tended to implement them. In case of recommendations from the UN treaty bodies, it is not possible to make the selection of supported/noted recommendations; therefore, if the Netherlands could not or did not want to comply, it chose to give detailed reasoning in its national reports, opted for reservations (the CCPR and CRC), or decided not to ratify the treaty (the CMW, CRC-OP-IC, CRPD-OP).

b) South Africa

South Africa is considered as a democratic state, although it is ranked as a flawed democracy. South Africa was assessed with an average level of compliance for both the UPR and UN treaty body's provisions and recommendations. Therefore, in this case study, it seems that the level of compliance follows the South African level of democracy which is in addition lower than in the case of the Netherlands. Nevertheless, there should be doubts

[28] In case of the UPR a good level of compliance and in case of all assessed UN treaty bodies an average level of compliance.

about whether factor of democracy led to better compliance as the assessment of both UPR and UN treaty body's provisions and recommendations indicated the implementation was below average. Better results were spotted only in the case of the provisions' character and recommendations' response rate (the UPR) which does not necessarily mean that South Africa complied with obligations. Furthermore, South Africa accepted the most recommendations while the majority of them was not implemented and provisions were accompanied by many events of human rights violations. Contrarily, South Africa succeeded to comply with some recommendation (the UPR) but after the assessed cycle which resulted in worse assessment of the repetition criterion.

Additionally, regarding South Africa, the compliance with UN treaty body's provisions and recommendations was lowered by such long delays in submissions of national reports that the action readiness of the UN treaty bodies was significantly degraded. This led to only one UN treaty body falling within the selected period. That is why the South Africa case supports Preclík's that voluntary participation and delays in reports' submission can be the main obstacle to effective participation (Preclík 2014: 178-179).

c) Bahrain

Bahrain is considered as the least democratic state among all selected states (authoritarian state). Bahrain was assessed with a below-average level of compliance for both the UPR and UN treaty bodies' provisions and recommendations. Almost all assessed criteria were rated as below average or poor. Better results were spotted only in the case of response to UPR recommendations and due submission dates of reports in the case of the UN treaty bodies.

Therefore, Bahrain complies with Neumayer, who expected that human rights treaties might have zero or even worsening effects in autocratic regimes on compliance with human rights (Neumayer 2005: 941). Bahrain ratified almost all UN human rights treaties (except the CMW and optional procedural protocols). However, compliance with both types of provisions/recommendations was below average. Bahrain followed its interests and minimized the impact of treaties by constitutive reservations and ratifying treaties without any optional protocol. Even this limitation of the treaty's impact did not prevent Bahrain from non-complying with almost any of provisions/recommendations. Similarly, in the case of the UPR, Bahrain was not reluctant to support almost all recommendations without any intention of implementing them. These findings support Dutton's or Chow's claims about abusing human rights since UN human rights mechanisms simply allow non-compliance without any threat of punishment (Dutton 2012: 54-57) (Chow 2017: 157).

d) Honduras

Honduras is considered with Bahrain as a non-democratic state but with a slightly better rating (hybrid regime). Honduras was assessed with a below-average level of compliance for both the UPR and almost all UN treaty bodies' provisions/recommendations except the CERD[29]. Almost all assessed criteria were rated as below average or poor. Better results were spotted only in the case of response to UPR recommendations, provisions' character, and due submission dates of reports in the case of the UN treaty bodies.

Altogether, state compliance with provisions/recommendations was assessed as very similar to Bahrain. Usually, Honduras implemented only recommendations referring to second category provision, but this type of implementation does not have to lead to significant improvements in human rights situations. Furthermore, many severe and continuous human rights violations occurred in Honduras over the selected period.

Based on all case studies, we can conclude that **a state's compliance with human rights provisions and recommendations increases when democracy increases**. Moreover, non-democratic regimes can have even worsening effects on state's compliance with human rights provisions and recommendations.

Second hypothesis: administrative capacity

a) The Netherlands

Employing this hypothesis, the Netherlands has the highest administrative capacity; hence, the Netherlands should be assessed with the highest level of compliance. The high administrative capacity is also supported from the perspective of some criteria. The Netherlands provided very detailed explanations to the UN treaty bodies (also in the case of the denial to implement some recommendations) and reports were usually submitted in due time. Therefore, the hypothesis can be confirmed since the Netherlands evinced the highest level of compliance in the selected period.

b) South Africa

South Africa has the second lowest level of administrative capacity, which is not in line with the level of compliance as South Africa was assessed with the best level of compliance after the Netherlands. If we look at all assessed criteria, South Africa failed to submit its reports in due time and many recommendations to South Africa focused on poverty or insufficient funding. Therefore, recommendations affirm lower level of administrative

[29] Better outcome was caused by no prominent events of racial discrimination found.

capacity. Despite all these findings, the level of compliance with human rights recommendations/provisions does not correlate with a lower level of administrative capacity. On the other hand, we cannot forget to repeat the above mentioned that they are doubts whether defined factors provably impacted the level of compliance.

c) Bahrain

Bahrain has the second highest administrative capacity after the Netherlands, which is not in line with the level of compliance as Bahrain was assessed with the lowest level of compliance.

If we look closer at the data, none of all recommendations indicate that Bahrain cannot implement recommendations/provisions due to restraints in financial resources, bureaucratic capability, or caused by structural incapacity to implement a treaty, as mentioned by Cole (Cole 2015: 431-436). Furthermore, even an assessment of selected criteria proves that Bahrain's non-compliance with recommendations/provisions was not caused by its administrative capacity. Most importantly, Bahrain succeeded in usually submitting its report in due time, which does not support the assumption that non-compliance was caused by structural incapacity. Also, many reservations significantly limiting the scope of treaties' provisions were made deliberately. Altogether, it indicates that different factors caused Bahrain's non-compliance.

d) Honduras

Bahrain has the lowest administrative capacity, which is not in line with the level of compliance, as Honduras was assessed with a higher level of compliance than Bahrain. If we look closer at the data, recommendations to Honduras focused on various issues, which included poverty or insufficient funding. On the contrary, Honduras improved in submitting its reports in due time over the selected period, which directly contradicts this theory since the administrative capacity remained low during the selected period.

Based on three case studies (South Africa, Bahrain, and Honduras), we can conclude that **the impact of states' administrative capacity on states' compliance with human rights provisions and recommendations was not proved**.

Third hypothesis: human rights advocacy networks

a) The Netherlands

The Netherlands is considered as a state where human rights advocacy networks freely operate. Furthermore, many NGOs keep a strong influence, and they are included

in legislative procedures due to the highly participative democratic environment (Freedom House 2022). This is in line with the highest level of compliance in the Netherlands.

b) South Africa

South Africa is considered as a state where human rights advocacy networks freely operate, and they maintain important status (Freedom House 2022). Nevertheless, the importance is lower due to the violent environment derived from many recommendations (e.g., UPR-Info 2023). This supports findings about compliance as South Africa was assessed with the second highest level.

c) Bahrain

Bahrain is considered as a state where human rights advocacy networks are restricted by law, and they hold very low status (Freedom House 2022). In other words, human rights NGOs can operate only with a permit while the state retains broad discretion to revoke the permit. Furthermore, Bahraini human rights defenders suffer from harassment, and they are prosecuted (Human Rights Watch 2022). The leading human rights NGO (the BIRD) is seated in London.[30] Moreover, recommendations addressing issues with human rights defenders were present in the case study. Recommendations focused on lifting all restrictions on their operation, protection, or even releasing some human rights defenders from prison (e.g., UPR-Info 2023). Therefore, these findings align with Bahrain's lowest level of compliance.

d) Honduras

Honduras is considered as a state where human rights advocacy networks can operate (Freedom House 2022). However, *de facto* activities are restricted by a very violent environment, including the killings of tens of human rights defenders over several years (Human Rights Watch 2012). Moreover, recommendations addressing issues with human rights defenders were present in this case study (e.g., UPR-Info 2023). Specifically, the main focus was on measures to safeguard human rights defenders from violent attacks and killings. This supports findings about compliance as Honduras was assessed with the second lowest level.

[30] Although the BIRD does not publish its exact seat and list of its staff: "*We do not publicly list our staff on the website. This is because BIRDBH's staff have faced reprisals in the past for their human rights campaigning* (BIRD 2023)*."*

Based on all case studies, we can conclude that **a state's compliance with human rights provisions and recommendations increases when the influence of human rights advocacy networks in a particular state is greater.**

Fourth hypothesis: neighboring states respecting human rights

a) The Netherlands

The Netherlands, as the state representing the highest level of compliance, is surrounded only by free states (Freedom House 2022).

b) South Africa

The second most complying South Africa borders mostly with free states but also some partly free and not free states (Freedom House 2022).

c) Bahrain

Bahrain, as the only one from the selected states, is surrounded only by not free states (Freedom House 2022). This is in line with the lowest level of compliance.

d) Honduras

Honduras is surrounded by partly free states and a not free state which is also in line with the second lowest level of compliance (Freedom House 2022).

Based on all case studies, we can conclude that **a state's compliance with human rights provisions and recommendations increases when the state is surrounded by more neighboring states respecting human rights.**

Research question

a) The Netherlands

The case study of the Netherlands confirms all given hypotheses; therefore, we can claim that **all four factors** influenced compliance with the human rights provisions and recommendations stemming from UN human rights mechanisms. Nevertheless, not all factors had the same influence. Especially the high level of democracy did not lead to acceptance of all recommendations/provisions as the Netherlands supported only those recommendations that complied with their interests or opted for detailed reasoning explaining non-compliance (Hathaway 2007: 595-598). The detailed explanations with due time submissions of reports support the influence of the high administrative capacity. Findings also support the influence of complementary factors. The significant importance of human rights advocacy networks was proven. The impact of the neighboring states was confirmed but not explored in detail.

b) South Africa

The case study of South Africa confirms three hypotheses; therefore, we can claim that the **level of democracy, human rights advocacy networks, and neighboring states respecting human rights** influenced compliance with the human rights provisions and recommendations stemming from UN human rights mechanisms. Nevertheless, the findings are inconsistent. Given that South Africa is considered as a democratic state, the level of compliance is rather lower, which contradicts Neumayer's assumption about the significant effects of human rights treaties (Neumayer 2005: 950-951). On the other hand, South Africa is not considered as a fully democratic state; therefore, the level of compliance cannot be the highest. Findings also support the influence of complementary factors. The importance of human rights advocacy networks was proven. The impact of the neighboring states was confirmed but not explored in detail. Ultimately, this case study included analysis of only one UN treaty body which could limit the correctness of findings.

Regarding the administrative capacity factor, the still higher level of compliance does not correlate with the lower administrative capacity of South Africa. On the other hand, ambiguities within this case study inevitably raise the question about the correctness of this conclusion.

c) Bahrain

The case study of South Africa confirms three hypotheses; therefore, we can claim that the level of **democracy, human rights advocacy networks, and neighboring states respecting human rights** influenced compliance with the human rights provisions and recommendations stemming from UN human rights mechanisms. The case of Bahrain offers relatively clear evidence of the very low compliance following very low democracy status. Additionally, Bahraini authoritarian regime has even worsening effect on compliance with human rights provisions and recommendations (Neumayer 2005: 941). Findings also support the influence of complementary factors. Due to many severe restrictions and human rights defenders suffering from harassment, the influence on compliance can be confirmed as very low. Also, Bahrain is surrounded by only not free states.

Regarding the administrative capacity factor, we can unequivocally disprove the influence of this factor since Bahrain disposed of administrative capacity, which did not serve as a positive sign for better human rights compliance.

d) Honduras

The case study of South Africa confirms three hypotheses; therefore, we can claim that the **level of democracy, human rights advocacy networks, and neighboring states respecting human rights** influenced compliance with the human rights provisions and recommendations stemming from UN human rights mechanisms. Findings stemming from this case study support the assumption about the impact of democracy on the level of compliance. Honduras, as a hybrid regime, evinced a below-average level of compliance with some minor achievements that did not significantly affect the level of compliance. Findings also support the influence of complementary factors. Human rights advocacy networks can operate, but a very violent environment *de facto* minimizes their impact. Partly free and not free states surround Honduras.

Regarding the administrative capacity factor, several criteria disprove the impact of this factor. For example, Honduras improved in submitting its reports in due time over the selected period despite recommendations indicating a low level of administrative capacity.

Conclusion

The thesis aimed to examine states' compliance with the UPR and UN treaty bodies by exploring pre-selected factors influencing states' compliance with human rights provisions and recommendations stemming from UN human rights mechanisms over ten years (2011-2021). Initially, UN human rights mechanisms were described. It was followed by the literature review that provided an overview of summarizing sources and sources focusing on the UN treaty body system and the UPR. Findings from the literature review were used to define the two opposing theories (rationalist theory and theory emphasizing states' administrative capacities). Two complementing theories supplemented the two leading theories. Based on these theories, four hypotheses were formulated and operationalized to perform four case studies focused on the Netherlands, South Africa, Bahrain, and Honduras.

From the data interpretation of all four case studies follows that the state's compliance increases when democracy increases. Nevertheless, we can name other findings. Based on the case study of Bahrain, we observed that authoritarian regime could have even worsening effects on states' compliance (Neumayer 2005: 941). Additionally, following the case study of the Netherlands, we can see that even a democratic state does not necessarily have to comply with human rights obligations if interests conflict (Hathaway 2007: 595-598). On the other hand, the opposing theory emphasizing administrative capacity was rather disproved than confirmed. The most striking example of discrepancy is the case study of Bahrain, which, despite a relatively good administrative capacity, completely failed to comply with human rights provisions/recommendations. Ultimately, all case studies also support the influence of the two supplementing factors (human rights advocacy networks and neighboring states respecting human rights).

Based on four case studies, the thesis determined possible factors influencing states' compliance with human rights provisions and recommendations stemming from UN human rights treaties. Additionally, the thesis provided even other findings. Primarily, implementation of recommendations was assessed in most cases (including the most complaint state, the Netherlands) as relatively low (Dutton 2012: 54-57). Also, the character of recommendations is a very important element since most recommendations aim to execute human rights provisions by other means than legal acts, which demand long-term and continuous implementation. Nevertheless, some states tended to implement human

rights provisions only *de jure* (e.g., adopting or amending laws) as an easier and faster option which does not have to lead to aggregated compliance. Just as Carraro, we can confirm that UN human rights mechanisms by their characters differ, which can even bring different results stemming from these mechanisms (see the case study of the Netherlands) (Carraro 2019: 1083-1085). Furthermore, it must be again underlined that due to the qualitative character of the thesis and other already described specificities (see part 2.3.4. about limits of the thesis), findings may be different in case of analyzing other states and other UN human rights bodies. Therefore, factors determined by the thesis should not be considered unconditionally. Besides others, while performing the thesis, it became visible that not all data can be accessed, and even data availability differed among different states. That is why the scope of this thesis was reduced to assessment of states' compliance with human rights provisions and recommendations. Still, due to long delays in submitting reports (see the case study of South Africa) number and types of analyzed UN treaty bodies differed among case studies which lowered the comparability. Ultimately, we can say hypotheses were the most easily confirmed or refused in states with the clearest status of democracy and administrative capacities (the Netherlands and Bahrain). Other case studies offered more blurred results.

Regardless of all problems and complications, the thesis was successful in its aim. The thesis offers an overview of the most relevant factors influencing compliance with human rights provisions and recommendations stemming from UN human rights mechanisms. Even though we determined that the compliance was lower, which could also be caused by the character of human rights provisions and the shorter selected period, the thesis brings a relatively detailed assessment of the human rights situation of four states over the ten years. Given the complex character of human rights and many other circumstances that certainly influence compliance with human rights provisions/recommendations, the response cannot be straightforward and unequivocal. That is why findings could be used primarily as a rare example of assessment of compliance with outcomes stemming from the two core human rights mechanisms for executors of UN human rights mechanisms or IR scholars for another research. The topic invites us to perform quantitative analysis and verify determined factors. On the other hand, a complex assessment of states' human rights compliance with UN human rights mechanisms requires detailed knowledge of the state and access to national sources. Such assessment can be focused only on one state or specific field of human rights.

List of References

1) 5/1. Institution-building of the United Nations Human Rights Council. Human Rights Council[online]. 2007 [cit. 2023-04-26]. Dostupné z: https://ap.ohchr.org/documents/dpage_e.aspx?si=a/hrc/res/5/1
2) 48/134. National institutions for the promotion and protection of human rights. UN General Assembly [online]. 1993 [cit. 2023-04-26]. Dostupné z: https://www.legal-tools.org/doc/b38121/pdf/
3) 90 times rapist convicted in South Africa. Africanews. [online]. 2022 [cit. 2023-04-14]. Available at: https://www.africanews.com/2022/11/09/90-times-rapist-convicted-in-south-africa/
4) 2022 Trafficking in Persons Report: Bahrain. U.S. Department of State [online]. 2022 [cit. 2023-04-22]. Available at: https://www.state.gov/reports/2022-trafficking-in-persons-report/bahrain/
5) 2022 Trafficking in Persons Report: Honduras. U.S. Department of State [online]. 2022 [cit. 2023-04-22]. Available at: https://www.state.gov/reports/2022-trafficking-in-persons-report/honduras/
6) 2022 Trafficking in Persons Report: Netherlands. U.S. Department of State [online]. 2022 [cit. 2023-04-12]. Available at: https://www.state.gov/reports/2022-trafficking-in-persons-report/netherlands/
7) ABOUT BIRD: OUR STAFF. 2023 [online]. 2023 [cit. 2023-04-29]. Available at:https://birdbh.org/about/
8) About National Human Rights Institutions. ENHRI [online]. 2023 [cit. 2023-04-12]. Available at: https://ennhri.org/about-nhris/
9) Additional information submitted by Honduras under article 29 (4) of the Convention. Committee on Enforced Disappearances [online]. 2021 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FHND%2FAI%2F1&Lang=en
10) Additional information submitted by the Netherlands under article 29 (4) of the Convention. Committee on Enforced Disappearances [online]. 2021 [cit. 2023-04-29]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FNLD%2FAI%2F1&Lang=en

11) Amnesty International public statement. Amnesty International [online]. 2012 [cit. 2023-04-12]. Available at: https://www.amnesty.org/en/wp-content/uploads/2021/06/eur350012012en.pdf
12) Bahrain: Child held without charge in adult prison. Amnesty International [online]. 2012 [cit. 2023-04-22]. Available at: https://www.amnesty.org/en/latest/news/2012/12/bahrain-child-held-without-charge-adult-prison/
13) Bahrain: Death Sentences Despite Torture Claims. Human Rights Watch [online]. 2020 [cit. 2023-04-22]. Available at: https://www.hrw.org/news/2020/03/09/bahrain-death-sentences-despite-torture-claims
14) Bahrain: Deep rooted Torture Crisis. ADHRB [online]. 2021 [cit. 2023-04-22]. Available at: https://www.adhrb.org/2021/06/bahrain-deep-rooted-torture-crisis/
15) Bahrain: Events of 2017 [online]. Human Rights Watch [cit. 2023-04-22]. Dostupné z: https://www.hrw.org/world-report/2018/country-chapters/bahrain
16) Bahrain: Events of 2021. Human Rights Watch [online]. 2022 [cit. 2023-04-22]. Dostupné z: https://www.hrw.org/world-report/2022/country-chapters/bahrain
17) Bahrain Moves to Reform Kafala, Exclusions Remain. ADHRB [online]. 2016 [cit. 2023-04-22]. Dostupné z: https://www.adhrb.org/2016/10/bahrainkafala/
18) Bahrain: No Improvement in Rights Record: Arrests for Peaceful Speech; Death Sentences After Unfair Trials. Human Rights Watch [online]. 2021 [cit. 2023-04-22]. Available at: https://www.hrw.org/news/2021/01/13/bahrain-no-improvement-rights-record
19) Bahrain: Stop Denying Abuse of Detained Children. BIRD [online]. 2021 [cit. 2023-04-22]. Available at: https://birdbh.org/2021/06/bahrain-stop-denying-abuse-of-detained-children/
20) Bahrain. UPR Info [online]. 2023 [cit. 2023-04-22]. Available at: https://upr-info-database.uwazi.io/en/
21) BASSIOUNI, M. Cherif a William A. SCHABAS. New Challenges for the UN Human Rights Machinery: What Future for the UN Treaty Body System and the Human Rights Council Procedures?. Intersentia, 2011. ISBN 9781780680552.

22) Be in the KNOW: At a glance: HIV in South Africa [online]. 2021 [cit. 2023-04-14]. Available at: https://www.beintheknow.org/understanding-hiv-epidemic/data/glance-hiv-south-africa
23) BRIGIDA, Anne-Catherina. Honduras ordered to track LGBT+ hate crimes. Reuters [online]. 2021 [cit. 2023-04-22]. Available at: https://www.reuters.com/article/us-honduras-lgbt-murder-idUSKCN2E52HQ
24) BULL, Peter. Communication Under the Microscope: The Theory and Practice of Microanalysis[online]. 2002, 2002-9-26 [cit. 2023-04-14]. Available at:
25) doi:10.4324/9780203408025
26) CARRARO, Valentina. Promoting Compliance with Human Rights: The Performance of the United Nations' Universal Periodic Review and Treaty Bodies. International Studies Quarterly [online]. 2019, 63(4), 1079-1093 [cit. 2023-04-14]. ISSN 0020-8833. Available at: doi:10.1093/isq/sqz078
27) CERD Committee: Report of Honduras. OHCHR [online]. 2016 [cit. 2023-04-22]. Available at: https://www.ohchr.org/en/taxonomy/term/1021?page=13
28) CHAYES, Abram a Antonia Handler CHAYES. On compliance. International Organization [online]. 1993, 47(2), 175-205 [cit. 2023-04-14]. ISSN 0020-8183. Available at: doi:10.1017/S0020818300027910
29) CHOW, Jonathan T. North Korea's participation in the Universal Periodic Review of Human Rights. Australian Journal of International Affairs [online]. 2017, 71(2), 146-163 [cit. 2023-04-14]. ISSN 1035-7718. Available at: doi:10.1080/10357718.2016.1241978
30) COLE, Wade M. Mind the Gap: State Capacity and the Implementation of Human Rights Treaties. International Organization [online]. 2015, 69(2), 405-441 [cit. 2023-04-14]. ISSN 0020-8183. Available at: doi:10.1017/S002081831400040X
31) Comprehensive agenda on migration. Government of the Netherlands [online]. 2018 [cit. 2023-04-12]. Available at: https://www.government.nl/topics/asylum-policy/documents/parliamentary-documents/2018/07/10/comprehensive-agenda-on-migration
32) Concluding observations of the Committee on the Elimination of Discrimination against Women. Committee on the Elimination of Discrimination against Women [online]. 2011 [cit. 2023-04-22]. Available at:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FNLD%2FCO%2F1%2FAdd.1&Lang=en

33) Concluding observations on the combined fifth and sixth periodic reports of the Netherlands, adopted by the Committee at its fiftieth session (6-31 May 2013). Committee against Torture[online]. 2013 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FNLD%2FCO%2F5-6&Lang=en

34) Concluding observations on the combined initial and second to fifth periodic reports of Honduras. Committee on the Elimination of Racial Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FHND%2FCO%2F1-5&Lang=en

35) Concluding observations on the combined nineteenth to twenty-first periodic reports of the Netherlands. Committee on the Elimination of Racial Discrimination [online]. 2015 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FNLD%2FCO%2F19-21&Lang=en

36) Concluding observations on the combined seventh and eighth periodic reports of Honduras. Committee on the Elimination of Discrimination against Women [online]. 2016 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FHND%2FCO%2F7-8&Lang=en

37) Concluding observations on the combined sixth to eighth periodic reports of Honduras. Committee on the Elimination of Racial Discrimination [online]. 2019 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FHND%2FCO%2F6-8&Lang=en

38) Concluding observations on the combined twenty-second to twenty-fourth periodic reports of the Kingdom of the Netherlands. Committee on the Elimination of Racial Discrimination [online]. 2021 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FNLD%2FCO%2F22-24&Lang=en

39) Concluding observations on the fifth periodic report of South Africa. Committee on the Elimination of Discrimination against Women [online]. 2021 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FZAF%2FCO%2F5&Lang=en

40) Concluding observations on the fourth periodic report of Bahrain. Committee on the Elimination of Discrimination against Women [online]. 2023 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FBHR%2FCO%2F4&Lang=en

41) Concluding observations on the ninth periodic report of Honduras. Committee on the Elimination of Discrimination against Women [online]. 2022 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FHND%2FCO%2F9&Lang=en

42) Concluding observations on the report submitted by Honduras under article 29 (1) of the Convention. Committee on Enforced Disappearances [online]. 2018 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FHND%2FCO%2F1&Lang=en

43) Concluding observations on the report submitted by Honduras under article 29 (1) of the Convention. Committee on Enforced Disappearances [online]. 2019 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FHND%2FCO%2F1%2FAdd.1&Lang=en

44) Concluding observations on the report submitted by the Netherlands under article 29, paragraph 1, of the Convention. Committee on Enforced Disappearances [online]. 2014 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FNLD%2FCO%2F1&Lang=en

45) Concluding observations on the report submitted by the Netherlands under article 29, paragraph 1, of the Convention. Committee on Enforced Disappearances [online]. 2016 [cit. 2023-04-22]. Available at:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FNLD%2FCO%2F1%2FAdd.1&Lang=en

46) Concluding observations on the second periodic report of Honduras. Committee against Torture[online]. 2016 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FHND%2FCO%2F2&Lang=en

47) Concluding observations on the second periodic report of Honduras. Committee on Economic, Social and Cultural Rights [online]. 2016 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FHND%2FCO%2F2&Lang=en

48) Concluding observations on the seventh periodic report of the Netherlands. Committee against Torture [online]. 2018 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FNLD%2FCO%2F7&Lang=en

49) Concluding observations on the sixth periodic report of the Netherlands. Committee on the Elimination of Discrimination against Women [online]. 2016 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FNLD%2FCO%2F6&Lang=en

50) Concluding observations on the third periodic report of Bahrain. Committee on the Elimination of Discrimination against Women [online]. 2014 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FBHR%2FCO%2F3&Lang=en

51) Consideration of reports submitted by States Parties under article 44 of the Convention. Committee on the Rights of the Child [online]. 2011 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FBHR%2FCO%2F2-3&Lang=en

52) Consideration of reports submitted by States Parties under article 44 of the Convention. Committee on the Rights of the Child [online]. 2019 [cit. 2023-04-

22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FBHR%2FCO%2F4-6&Lang=en

53) Corruption Perceptions Index. Transparency International [online]. 2011 [cit. 2023-04-22]. Available at: https://www.transparency.org/en/cpi/2011

54) CORDER, Mike. Report uncovers widespread racism at Dutch foreign ministry. AP News [online]. 2022 [cit. 2023-04-12]. Available at: https://apnews.com/article/netherlands-government-and-politics-racism-09890bcd2db5e7055c52a358ae76fd99

55) CORRUPTION WATCH – ANNUAL REPORT 2021. Transparency International [online]. 2022 [cit. 2023-04-14]. Available at: https://www.corruptionwatch.org.za/wp-content/uploads/2022/03/cw-2021-annual-report-10-years-20220330-spreads.pdf

56) CREAMER, Cosette D. a Beth A. SIMMONS. Ratification, Reporting, and Rights: Quality of Participation in the Convention against Torture. Human Rights Quarterly [online]. 2015, 37(3), 579-608 [cit. 2023-04-14]. Available at: https://www.jstor.org/stable/24518339

57) Cycles of the Universal Periodic Review. Human Rights Council [online]. 2023 [cit. 2023-04-14]. Available at: https://www.ohchr.org/en/hr-bodies/upr/cycles-upr

58) Democracy Index 2021: the China challenge. The Economist Intelligence Unit [online]. 2022 [cit. 2023-04-14]. Available at: https://www.eiu.com/n/campaigns/democracy-index-2021/

59) Department of Women, Youth and Persons with Disabilities: Overview [online]. 2023 [cit. 2023-04-14]. Available at: https://www.dwypd.gov.za/index.php/about-us/overview#

60) DUDLEY, Steven. Counting Firearms in Honduras. InSight Crime [online]. 2017 [cit. 2023-04-22]. Available at: https://insightcrime.org/investigations/counting-firearms-in-honduras/

61) Dutch prime minister tells MPs he has ‘changed his views’ on Zwarte Piet. DutchNews.nl [online]. 2020 [cit. 2023-04-12]. Available at: https://www.dutchnews.nl/news/2020/06/dutch-prime-minister-tells-mps-he-has-changed-his-views-on-zwarte-piet/

62) DUTTON, Yvonne M. Commitment to International Human Rights Treaties: The Role of Enforcement Mechanisms. University of Pennsylvania Journal of International Law [online]. 2012, 34(1) [cit. 2023-04-14]. Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2187400

63) ECOSOC Resolution 1985/17. United Nations [online]. [cit. 2023-04-14]. Available at: https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/663/73/IMG/NR066373.pdf?OpenElement

64) ETONE, Damian. Nigeria's Engagement with the Human Rights Council's Universal Periodic Review: Potential for Acculturation or Risk of Regression?. SSRN Electronic Journal [online]. [cit. 2023-04-14]. ISSN 1556-5068. Available at: doi:10.2139/ssrn.3188058

65) FAKHRO, Elham. Bahrain's National Dialogue faces a Stalemate. Al Jazeera [online]. 2013 [cit. 2023-04-22]. Available at: https://studies.aljazeera.net/en/reports/2013/10/2013101091036321935.html

66) Femicide in Honduras: women dismissed by their own government. Contra Corriente [online]. 2020 [cit. 2023-04-22]. Available at: https://contracorriente.red/en/2020/08/08/femicide-in-honduras-women-dismissed-by-their-own-government/

67) Fight against human trafficking. Government of the Netherlands [online]. 2018 [cit. 2023-04-12]. Available at: https://www.government.nl/topics/human-trafficking/news/2018/11/14/fight-against-human-trafficking

68) Freedom in the World 2021. Freedom House [online]. 2021 [cit. 2023-04-14]. Available at: https://freedomhouse.org/report/freedom-world/2021/democracy-under-siege

69) Freedom in the World 2022. Freedom House [online]. 2022 [cit. 2023-04-14]. Available at: https://freedomhouse.org/sites/default/files/2022-02/FIW_2022_PDF_Booklet_Digital_Final_Web.pdf

70) Freedom in the World 2022: Bahrain. Freedom House [online]. 2022 [cit. 2023-04-22]. Available at: https://freedomhouse.org/country/bahrain/freedom-world/2022

71) Freedom in the World 2022: Honduras. Freedom House [online]. 2022 [cit. 2023-04-22]. Available at: https://freedomhouse.org/country/honduras/freedom-world/2022
72) Freedom in the World 2022: Netherlands [online]. [cit. 2023-04-12]. Available at: https://freedomhouse.org/country/netherlands/freedom-world/2022
73) Freedom in the World 2022: South Africa. Freedom House [online]. 2022 [cit. 2023-04-14]. Available at: https://freedomhouse.org/country/south-africa/freedom-world/2022
74) Freedom in the World 2022 Methodology. Freedom House [online]. 2022 [cit. 2023-04-12]. Available at: https://freedomhouse.org/reports/freedom-world/freedomhouse.org/sites/default/files/2022-02/FIW_2022_Methodology_For_Web.pdf
75) Freedom in the World 2023 Methodology. Freedom House [online]. 2023 [cit. 2023-04-26]. Dostupné z: https://freedomhouse.org/reports/freedom-world/freedom-world-research-methodology
76) Gender Equality Index 2020 NETHERLANDS. EIGE [online]. 2020 [cit. 2023-04-12]. Available at: https://eige.europa.eu/publications/gender-equality-index-2020-netherlands
77) GREENBAUM, Lesley. Access to justice for all: a reality or unfulfilled expectations?. De Jure[online]. 2020, 53 [cit. 2023-04-14]. ISSN 14663597. Available at: doi:10.17159/2225-7160/2020/v53a17
78) HATHAWAY, Oona A. Why Do Countries Commit to Human Rights Treaties?. Journal of Conflict Resolution [online]. 2007, 51(4), 588-621 [cit. 2023-04-14]. ISSN 0022-0027. Available at: doi:10.1177/0022002707303046
79) HEIKKILÄ, Melissa. Dutch scandal serves as a warning for Europe over risks of using algorithms. Politico [online]. 2022 [cit. 2023-04-12]. Available at: https://www.politico.eu/article/dutch-scandal-serves-as-a-warning-for-europe-over-risks-of-using-algorithms/
80) HENLEY, Jon. Dutch crime reporter Peter de Vries dies after shooting. The Guardian [online]. 2021 [cit. 2023-04-12]. Available at: https://www.theguardian.com/world/2021/jul/15/dutch-reporter-peter-de-vries-dies-after-shooting

81) HEUPEL, Monika. How do States Perceive Extraterritorial Human Rights Obligations? Insights from the Universal Periodic Review. Human Rights Quarterly [online]. 2018, 40(3), 521-546 [cit. 2023-04-14]. ISSN 1085-794X. Available at: doi:10.1353/hrq.2018.0030

82) Honduras: Authorities must deploy all necessary measures to locate five victims of apparent enforced disappearance. Amnesty International [online]. 2020 [cit. 2023-04-22]. Available at: https://www.amnesty.org/en/latest/news/2020/07/honduras-autoridades-deben-localizar-victimas-desaparicion-forzada/

83) Honduras: Events of 2016. Human Rights Watch [online]. 2017 [cit. 2023-04-22]. Available at: https://www.hrw.org/world-report/2017/country-chapters/honduras

84) Honduras: Events of 2021. Human Rights Watch [online]. 2022 [cit. 2023-04-22]. Dostupné z: https://www.hrw.org/world-report/2022/country-chapters/honduras

85) Honduras Government and businesses must ensure protection of rights of people affected by development projects, say UN experts. OHCHR [online]. 2019 [cit. 2023-04-22]. Available at: https://www.ohchr.org/en/press-releases/2019/08/honduras-government-and-businesses-must-ensure-protection-rights-people?LangID=E&NewsID=24932

86) Honduras Immigration Detention Profile. Global Detention Project [online]. 2015 [cit. 2023-04-22]. Available at: https://www.globaldetentionproject.org/countries/americas/honduras#country-report

87) Honduras. OXFAM International [online]. 2023 [cit. 2023-04-22]. Available at: https://www.oxfam.org/en/what-we-do/countries/honduras

88) Honduras. UPR Info [online]. 2023 [cit. 2023-04-22]. Available at: https://upr-info-database.uwazi.io/en

89) HOPEWELL, Kristen. The accidental agro-power: constructing comparative advantage in Brazil. New Political Economy [online]. 2016, 21(6), 536-554 [cit. 2023-04-14]. ISSN 1356-3467. Available at: doi:10.1080/13563467.2016.1161014

90) Immigration Detention in South Africa. Global Detention Project [online]. 2021 [cit. 2023-04-14]. Available at: https://www.globaldetentionproject.org/countries/africa/south-africa#country-report

91) Institutional racism in the Netherlands. European Commission [online]. 2021 [cit. 2023-04-12]. Available at: https://ec.europa.eu/migrant-integration/library-document/institutional-racism-netherlands_en

92) Institution-building of the United Nations Human Rights Council: A/HRC/RES/5/1. Human Rights Council [online]. 2007 [cit. 2023-04-14]. Available at: https://www.refworld.org/docid/4ae9acbbd.html

93) Instruments & mechanisms. OHCHR [online]. 2023 [cit. 2023-04-14]. Available at: https://www.ohchr.org/en/instruments-and-mechanisms

94) JOHNSON, Leigh F., Gesine MEYER-RATH, Rob E. DORRINGTON, Adrian PUREN, Thapelo SEATHLODI, Khangelani ZUMA a Ali FEIZZADEH. The Effect of HIV Programs in South Africa on National HIV Incidence Trends, 2000–2019. JAIDS Journal of Acquired Immune Deficiency Syndromes [online]. 2022, 90(2), 115-123 [cit. 2023-04-14]. ISSN 1525-4135. Available at: doi:10.1097/QAI.0000000000002927

95) KROMMENDIJK, Jasper. The domestic effectiveness of international human rights monitoring in established democracies. The case of the UN human rights treaty bodies. The Review of International Organizations [online]. 2015, 10(4), 489-512 [cit. 2023-04-14]. ISSN 1559-7431 Available at: doi:10.1007/s11558-015-9213-0

96) Life or Death Choices for Women Living Under Honduras' Abortion Ban. Human Rights Watch[online]. 2019 [cit. 2023-04-22]. Available at: https://www.hrw.org/news/2019/06/06/life-or-death-choices-women-living-under-honduras-abortion-ban

97) MCMAHON, Edward a Marta ASCHERIO. A Step Ahead in Promoting Human Rights? The Universal Periodic Review of the UN Human Rights Council. Global Governance: A Review of Multilateralism and International Organizations [online]. 2012, 18(2), 231-248 [cit. 2023-04-14]. ISSN 1075-2846. Available at: doi:10.1163/19426720-01802006

98) MELLAARD, Arne a Toon van MEIJL. Domestic violence policies in the Netherlands: A regime of deficiency. Anthropological Theory [online]. 2021, 21(4), 437-459 [cit. 2023-04-12]. ISSN 1463-4996. Available from: doi:10.1177/1463499620958857

99) Members. GANHRI [online]. 2023 [cit. 2023-04-22]. Available at: https://ganhri.org/membership/

100) Ministries and VNG set out scenario for the future of child and family protection. Government of the Netherlands [online]. 2021 [cit. 2023-04-12]. Available at: https://www.government.nl/topics/child-abuse/news/2021/03/30/ministries-and-vng-set-out-scenario-for-the-future-of-child-and-family-protection

101) Miskito Divers. CEJIL [online]. 2023 [cit. 2023-04-22]. Available at: https://cejil.org/en/case/miskito-divers-opario-lemoth-morris-y-otros/

102) Mortality rate. The World Bank [online]. 2021 [cit. 2023-04-14]. Available at: https://data.worldbank.org/indicator/SH.DYN.MORT?locations=ZA

103) National Action Plan on Human Rights [online]. Ministery of the Interior and Kingdom Relations, 2014 [cit. 2023-04-12]. Available at: https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session13/NL/Netherlands_Annex_InterimReport.pdf

104) National strategic plan on gender-based violence & femicide. Government of South Africa [online]. 2020 [cit. 2023-04-14]. Available at: https://www.gov.za/sites/default/files/gcis_document/202006/stratplan-gbvs.pdf

105) Netherlands. In: Freedom in the World 2012 [online]. Freedom House, 2013, p. 485-488 [cit. 2023-04-12]. Available at: https://freedomhouse.org/sites/default/files/2020-02/Freedom_in_the_World_2012_complete_book.pdf

106) Netherlands Immigration Detention Profile. Global Detention Project [online]. 2020 [cit. 2023-04-12]. Available at: https://www.globaldetentionproject.org/countries/europe/netherlands#country-report

107) NEUMAYER, Eric. Do International Human Rights Treaties Improve Respect for Human Rights?. The Journal of Conflict Resolution [online]. 2005, 49(6), 925-953 [cit. 2023-04-14]. Available at: https://www.jstor.org/stable/30045143
108) New national health care insurance in South Africa. The Borgen Project [online]. 2022 [cit. 2023-04-14]. Available at: https://borgenproject.org/new-national-health-care-insurance/
109) No nationality for the children of Bahraini women. BCHR [online]. 2023 [cit. 2023-04-22]. Dostupné z: https://bahrainrights.net/?p=136703
110) NOVELLI, Douglas Henrique. Rationalism in International Relations: Concepts, Theoretical Limits and Criticism. Revista InterAção [online]. 2018, 9(1), 115-131 [cit. 2023-04-14]. ISSN 2357-7975. Available at: doi:10.5902/2357797533219
111) PATEL, Gayatri. How 'Universal' Is the United Nations' Universal Periodic Review Process? An Examination of the Discussions Held on Polygamy. Human Rights Review [online]. 2017, 18(4), 459-483 [cit. 2023-04-14]. ISSN 1524-8879. Available at: doi:10.1007/s12142-017-0461-7
112) PILLAY, Navanethem. Strengthening the United Nations human rights treaty body system: A report by the United Nations High Commissioner for Human Rights [online]. OHCHR, 2012 [cit. 2023-04-14]. Available at: https://www.refworld.org/pdfid/4fe8291a2.pdf
113) Poverty and extreme inequality worsen in southern Africa as COVID-19 battered countries embark on a dangerous austerity path. OXFAM [online]. 2022 [cit. 2023-04-14]. Available at: https://www.oxfam.org/en/press-releases/poverty-and-extreme-inequality-worsen-southern-africa-covid-19-battered-countries
114) PRECLÍK, Petr. Globální systém ochrany lidských práv: OSN. In: Lidská práva v mezinárodní politice. Praha: Wolters Kluwer, 2014. Lidská práva. ISBN 978-80-7478-720-1.
115) Prevention and combating of trafficking in Persons National Policy Framework. Department of Justice and Constitutional Development [online]. 2019 [cit. 2023-04-14]. Available at: https://www.justice.gov.za/vg/TIP.html
116) RANA, Sameer. Review or Rhetoric? An Analysis of the United Nations Human Rights Council's Universal Periodic Review. SIT Graduate Institute - Study

Abroad [online]. 2015 [cit. 2023-04-14]. Available at: https://digitalcollections.sit.edu/isp_collection/2239/

117) Report: Women's rights in Bahrain… Postponed dreams. ADHRB [online]. 2022 [cit. 2023-04-22]. Available at: https://www.adhrb.org/2022/01/report-womens-rights-in-bahrain-postponed-dreams/

118) Resolution adopted by the General Assembly: 60/251. Human Rights Council. UN General Assembly [online]. 2006 [cit. 2023-04-26]. Dostupné z: https://www2.ohchr.org/english/bodies/hrcouncil/docs/a.res.60.251_en.pdf

119) Resolution adopted by the Human Rights Council: A/HRC/RES/16/21. Human Rights Council[online]. 2011 [cit. 2023-04-14]. Available at: https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/G11/126/78/PDF/G1112678.pdf?OpenElement

120) Right to Food. SAHRC [online]. [cit. 2023-04-14]. Available at: https://www.sahrc.org.za/home/21/files/brochure_A3_English.pdf

121) Second Bahrain detainee dies in custody - ministry. Reuters [online]. 2014 [cit. 2023-04-22]. Available at: https://www.reuters.com/article/us-bahrain-death-idUSBREA1P0XY20140226

122) Seventh periodic report submitted by the Netherlands under article 18 of the Convention, due in 2020. Committee on the Elimination of Discrimination against Women [online]. 2022 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FNLD%2F7&Lang=en

123) Shattering the Façade: a report on bahrain's implementation of the bahrain independent commission of inquiry (bici) recommendations four years on. BIRD [online]. 2015 [cit. 2023-04-22]. Available at: https://usercontent.one/wp/www.adhrb.org/wp-content/uploads/2015/11/Shattering_the_Facade_Web.pdf

124) South Africa: Broken and unequal education perpetuating poverty and inequality. Amnesty International [online]. 2020 [cit. 2023-04-14]. Available at: https://www.amnesty.org/en/latest/news/2020/02/south-africa-broken-and-unequal-education-perpetuating-poverty-and-inequality/

125) South Africa: Broken Promises to Aid Gender-Based Violence Survivors. Human Rights Watch[online]. 2021 [cit. 2023-04-14]. Available at: https://www.hrw.org/news/2021/11/24/south-africa-broken-promises-aid-gender-based-violence-survivors
126) South Africa Decent Work Country Programme. International Labour Organization [online]. 2023 [cit. 2023-04-14]. Available at: https://www.ilo.org/jobspact/resources/WCMS_145419/lang--en/index.htm
127) South Africa: Migrants living 'in constant fear' after deadly attacks. Amnesty International[online]. 2022 [cit. 2023-04-14]. Available at: https://www.amnesty.org/en/latest/news/2022/04/south-africa-migrants-living-in-constant-fear-after-deadly-attacks/
128) South Africa prohibits all corporal punishment of children. End Corporal Punishment [online]. 2019 [cit. 2023-04-14]. Available at: https://endcorporalpunishment.org/south-africa-prohibits-all-corporal-punishment/
129) South Africa's ex-president Zuma granted medical parole. BBC [online]. 2021 [cit. 2023-04-29]. Available at: https://www.bbc.com/news/world-africa-58454726
130) South Africa: UN experts condemn xenophobic violence and racial discrimination against foreign nationals. OHCHR [online]. 2022 [cit. 2023-04-14]. Available at: https://www.ohchr.org/en/press-releases/2022/07/south-africa-un-experts-condemn-xenophobic-violence-and-racial
131) South Africa. UPR Info [online]. 2023 [cit. 2023-04-22]. Available at: https://upr-info-database.uwazi.io/en
132) Strategy against child abuse. Government of the Netherlands [online]. [cit. 2023-04-12]. Available at: https://www.government.nl/topics/child-abuse/strategy-against-child-abuse
133) Submission to the Universal Periodic Review of South Africa. Human Rights Watch [online]. 2022 [cit. 2023-04-14]. Available at: https://www.hrw.org/news/2022/04/04/submission-universal-periodic-review-south-africa
134) TAVARES, Izalina. Black Pete: Analyzing a Racialized Dutch Tradition Through the History of Western Creations of Stereotypes of Black

Peoples. Humanity Action [online]. 2004 [cit. 2023-04-12]. Available at: https://humanityinaction.org/knowledge_detail/black-pete-analyzing-a-racialized-dutch-tradition-through-the-history-of-western-creations-of-stereotypes-of-black-peoples/

135) TAYLOR, Adam. Dutch PM tells immigrants: 'Act normal or go away'. The Washington Post[online]. 2017 [cit. 2023-04-12]. Available at: https://www.washingtonpost.com/news/worldviews/wp/2017/01/23/dutch-pm-tells-immigrants-act-normal-or-go-away/

136) The National Action Plan. Department of Justice and Constitutional Development [online]. 2022 [cit. 2023-04-14]. Dostupné z: https://www.justice.gov.za/nap/index.html

137) The Netherlands: excessive immigration detention, ethnic profiling and counter-terrorism measures. Amnesty International [online]. 2016 [cit. 2023-04-12]. Available at: https://www.amnesty.nl/content/uploads/2017/05/EUR3554622016ENGLISH.pdf?x54649

138) The Netherlands: Halt Plan to Deport Somalis Human Rights Watch. [online].2013 [cit. 2023-04-12]. Available at: https://www.refworld.org/docid/5127474f2.html

139) The Netherlands. UPR Info [online]. 2023 [cit. 2023-04-22]. Available at: https://upr-info-database.uwazi.io/

140) The ongoing detention of Bahraini political prisoners. House of Commons Library [online]. 2022 [cit. 2023-04-22]. Available at: https://commonslibrary.parliament.uk/research-briefings/cdp-2022-0006/

141) The United Nations Human Rights Treaty System [online]. 30. OHCHR, 2012 [cit. 2023-04-14]. ISSN 1014-5567. Available at: https://www.ohchr.org/sites/default/files/Documents/Publications/FactSheet30Rev1.pdf

142) The Right to THE RIGHT TO WATER AND SANITATION Water & Sanitation. SAHRC [online]. [cit. 2023-04-14]. Available at: https://www.sahrc.org.za/home/21/files/SAHRC%20Water%20and%20Sanitation%20revised%20pamphlet%2020%20March%202018.pdf

143) Third periodic report submitted by Honduras under articles 16 and 17 of the Covenant, due in 2021. Committee on Economic, Social and Cultural Rights [online]. 2021 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FHND%2F3&Lang=en

144) Third periodic report submitted by Honduras under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2020. Committee against Torture [online]. 2022 [cit. 2023-04-22]. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FHND%2F3&Lang=en

145) Torture in South Africa: The Act and the Facts. The Centre for the Study of Violence and Reconciliation [online]. 2014 [cit. 2023-04-14]. Available at: https://www.csvr.org.za/pdf/Torture%20in%20South%20Africa.pdf

146) TSEBELIS, George. Nested Games: Rational Choice in Comparative Politics. California series on social choice and political economy: University of California Press, 1990. ISBN 9780520067325.

147) UEDA, Kristi. South Africa Should Uphold the Dignity of Asylum Seekers. Human Rights Watch[online]. 2020 [cit. 2023-04-14]. Available at: https://www.hrw.org/news/2020/03/21/south-africa-should-uphold-dignity-asylum-seekers

148) United Nations Charter (full text). United Nations [online]. 2023 [cit. 2023-04-14]. Available at: https://www.un.org/en/about-us/un-charter/full-text

149) UN Treaty Body Database: Reporting status for Bahrain. OHCHR [online]. 2023 [cit. 2023-04-29]. Available at: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=BHR&Lang=EN

150) UN Treaty Body Database: Reporting status for Honduras. OHCHR [online]. 2023 [cit. 2023-04-29]. Available at: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=HND&Lang=EN

151) UN Treaty Body Database: Reporting status for Netherlands. OHCHR [online]. 2023 [cit. 2023-04-29]. Available at:

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=NLD&Lang=EN

152) UN Treaty Body Database: Reporting status for South Africa. OHCHR [online]. 2023 [cit. 2023-04-29]. Available at: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=ZAF&Lang=EN

153) Urgent action: children's rights defender beaten, detained. Amnesty International[online]. 2014 [cit. 2023-04-22]. Available at: https://www.amnesty.org/ar/wp-content/uploads/2021/07/amr370062014en.pdf

154) Vienna Convention on the Law of Treaties 1969. United Nations [online]. 2005 [cit. 2023-04-14]. Available at: https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf

155) View Country visits of Special Procedures of the Human Rights Council since 1998. OHCHR[online]. 2023 [cit. 2023-04-22]. Available at: https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=BHR&Lang=en

156) What is Ukuthwala?. Department of Justice and Constitutional Development [online]. 2023 [cit. 2023-04-14]. Available at: https://www.justice.gov.za/brochure/ukuthwala/ukuthwala.html

157) Women Driving Change: The Journey towards Women's Legal Empowerment in Bahrain. PartnersGlobal [online]. 2023 [cit. 2023-04-22]. Available at: https://www.partnersglobal.org/newsroom/women-driving-change-in-bahrain/

158) Women Empowerment and Gender Equality Bill. Government of South Africa [online]. 2013 [cit. 2023-04-14]. Available at: https://www.gov.za/documents/women-empowerment-and-gender-equality-bill

159) World Report 2015: Bahrain: Events of 2014 [online]. Human Rights Watch [cit. 2023-04-22]. Available at: https://www.hrw.org/world-report/2015/country-chapters/bahrain

160) World Report 2012: Honduras: Events of 2011. Human Rights Watch [online]. 2012 [cit. 2023-04-22]. Available at: https://www.hrw.org/world-report/2012/country-chapters/honduras

161) World Report 2013: Honduras: Events of 2012. Human Rights Watch [online]. 2013 [cit. 2023-04-22]. Available at: https://www.hrw.org/world-report/2013/country-chapters/honduras
162) World Report 2015: Honduras: Events of 2014. Human Rights Watch [online]. 2015 [cit. 2023-04-22]. Available at: https://www.hrw.org/world-report/2015/country-chapters/world-report-2015-honduras
163) World Report 2013: South Africa. Human Rights Watch [online]. 2013 [cit. 2023-04-14]. Available at: https://www.hrw.org/world-report/2013/country-chapters/south-africa
164) World Report 2012: South Africa. Human Rights Watch [online]. 2012 [cit. 2023-04-14]. Available at: https://www.hrw.org/world-report/2012/country-chapters/south-africa
165) World Report 2015: South Africa. Human Rights Watch [online]. 2015 [cit. 2023-04-14]. Available at: https://www.hrw.org/world-report/2015/country-chapters/south-africa
166) World Report 2020: South Africa. Human Rights Watch [online]. 2020 [cit. 2023-04-14]. Available at: https://www.hrw.org/world-report/2020/country-chapters/south-africa
167) World Report 2022: South Africa. Human Rights Watch [online]. 2022 [cit. 2023-04-14]. Available at: https://www.hrw.org/world-report/2022/country-chapters/south-africa
168) Worldwide Governance Indicators: Government Effectiveness [online]. 2021 [cit. 2023-04-14]. Available at: https://info.worldbank.org/governance/wgi/
169) You Can't Call Bahrain A Democracy: Bahrain's Political Isolation Laws. Human Rights Watch[online]. 2022 [cit. 2023-04-22]. Available at: https://www.hrw.org/report/2022/10/31/you-cant-call-bahrain-democracy/bahrains-political-isolation-laws