



**International Covenant on
Civil and Political Rights**

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Human Rights Committee

**Consideration of reports submitted by States
parties under article 40 of the Covenant**

Monaco*

**Comments by the Government of Monaco on the concluding
observations of the Human Rights Committee
(CCPR/C/MCO/CO/2)**

[26 March 2010]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

1. A bill designed to help combat and prevent specific forms of violence by providing greater protection to women, children and persons with disabilities was submitted to the office of the National Council (the legislative body of Monaco) on 13 October 2009. The passage of this bill would provide Monaco with a legal instrument which takes into account the extent of a victim's vulnerability and many different forms of violence.
2. The bill would afford greater protection for women, children and persons with disabilities by introducing specific measures for prevention, protection and punishment. The proposed law focuses on domestic violence involving spouses or persons living together under the same roof on a long-term basis, "honour crimes", female genital mutilation and forced marriage.
3. Under this bill, in cases where such offences concern a spouse or a person living under the same roof as the perpetrator on a long-term basis, the penalties are increased substantially; either the sentence corresponding to the offence under ordinary law is doubled, or the maximum sentence is applied. In addition, a failure to fulfil the obligation to make reparations counts as an aggravating circumstance with respect to the penalty to be imposed; this may lead, inter alia, to the revocation of the suspension of a sentence or of probation (art. 10).
4. This provision also applies to perpetrators of female genital mutilation, honour crimes or rape of a spouse or a domestic worker (art. 12). The bill covers domestic slavery and harassment as well.
5. The bill provides for measures to protect victims and for the training of judges and other persons who deal with victims of such acts. In addition, victims of the acts of violence covered in the first article will be entitled to be kept fully informed and to receive personal counselling. Police officers and members of the judicial police force are to inform victims orally and by any other appropriate means of: their right to reparations for the harm suffered; their right to sue for damages if criminal proceedings are initiated by the public prosecutor's office, to bring charges against the perpetrator before the corresponding court or to lodge a complaint with the examining magistrate; and their right to receive assistance from the appropriate government agency or from a government-approved victims' aid association. The victim is also to be furnished with Ministry-approved documentation for that purpose. All public and private hospitals and medical practices in the Principality of Monaco are to have free and anonymous access to that documentation as well. Persons with disabilities who become victims of such acts of violence will have full access to all relevant information in a form that is suited to their disability. Training within the corresponding field is to be provided to persons whose occupations bring them into contact with victims of violence, including judges, health professionals, and judicial police agents and officers, in order to assist them to improve the manner in which they deal with such victims. The relevant training procedures are to be established by ministerial order.
