



# International Covenant on Civil and Political Rights

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## Human Rights Committee

### List of issues prior to submission of the fourth periodic report of Monaco\*

#### A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1. Please provide information on measures taken to implement the recommendations contained in the Committee's previous concluding observations,<sup>1</sup> including any relevant statistical data. Please report on any other significant developments in the legal and institutional framework within which human rights are promoted and protected that have taken place since the adoption of the previous concluding observations. With reference to the Committee's previous concluding observations (para. 8),<sup>2</sup> please indicate whether the State Party intends to accede to the first Optional Protocol to the Covenant.

#### B. Specific information on the implementation of articles 1–27 of the Covenant, including with regard to the previous recommendations of the Committee

##### Constitutional and legal framework within which the Covenant is implemented (art. 2)

2. Please provide information on the measures taken to give full effect to the provisions of the Covenant in domestic law and on the implementation of the Covenant. Please describe the steps taken to raise awareness of the Covenant among judges, lawyers, prosecutors and the general public. Please also provide examples of cases in which the Covenant has been invoked or applied by the national courts.

3. With reference to the Committee's previous concluding observations (para. 7), please indicate: (a) whether the State Party envisages reviewing and withdrawing its interpretative declarations and reservations in relation to the Covenant, in particular those concerning articles 13, 14 (5), 19, 21 and 22; and (b) whether the process launched to bring the National Council into line with the 2002 constitutional reform has been completed.

4. In the light of the Committee's previous concluding observations (para. 9), please indicate: (a) whether the State Party intends to seek accreditation of the Office of the High Commissioner for the Protection of Rights and for Mediation by the Global Alliance of National Human Rights Institutions; and (b) what measures have been taken by the State Party to enable the Office of the High Commissioner to discharge its functions fully and in

\* Adopted by the Committee at its 142nd session (14 October–7 November 2024).

<sup>1</sup> [CCPR/C/MCO/CO/3](#).

<sup>2</sup> Unless otherwise indicated, paragraph numbers in parentheses refer to [CCPR/C/MCO/CO/3](#).



compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

**Anti-corruption measures (arts. 2 and 25)**

5. Please set out all measures taken to effectively prevent and combat corruption, in particular within the judiciary and among senior public officials, including measures taken to strengthen the State Party's anti-corruption framework. Please specify the results obtained and provide statistical data on the number of investigations, prosecutions and convictions in corruption cases during the period under review and, in particular, information on cases involving senior public officials and law enforcement officers. Please indicate what measures have been implemented to facilitate the reporting of cases of corruption and the protection of whistle-blowers.

6. Please describe efforts to ensure transparency, integrity and accountability in all areas of government and the legislative process, including steps taken to prevent, identify and manage conflicts of interest, in particular of senior public officials and the Prince.

**Non-discrimination (arts. 2, 19, 20 and 26)**

7. Please indicate what measures have been taken to put in place a comprehensive legal framework for combating discrimination. Please also provide information on the steps taken by the State Party to bring its legislation into line with international human rights standards, in particular by broadening the definition of discrimination to include all the grounds of discrimination prohibited by the Covenant, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and by ensuring effective implementation. Please report on the measures taken to collect disaggregated data on hate speech and hate crimes and to provide public access to this data.

8. Please describe efforts to prevent and combat racist and xenophobic hate speech and hate speech against lesbian, gay, bisexual, transgender and intersex persons, including steps taken to combat online hate speech quickly and effectively and the role of the judiciary in this regard. Please also provide information on the measures taken to publicize the procedures in place for reporting and lodging complaints of hate speech. Please describe the steps taken to ensure that the rights and freedoms of lesbian, gay, bisexual, transgender and intersex persons are effectively protected in law and in practice.

9. Please provide information on the measures taken to ensure legal recognition of same-sex couples.

**Gender equality (arts. 3 and 26)**

10. Please provide information on the measures taken to combat discrimination against women, in particular to: (a) reduce the wage gap between men and women in the public and private sectors; (b) ensure that women are represented at decision-making levels in political and public life, as well as in the private sector; and (c) guarantee that all women, whether Monegasque or foreign nationals, enjoy the same rights as men.

**Violence against women (arts. 2, 3, 6, 7 and 26)**

11. Please state whether measures have been taken or are envisaged to expand the definition of domestic violence so that it complies with that contained in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). Please describe the steps taken by the State Party to prevent and combat all forms of gender-based violence against women and girls and to punish the perpetrators, including any steps to encourage victims of violence to lodge complaints and to ensure the provision of adequate victim support services, in particular a 24-hour helpline. Please also provide disaggregated data on violence against women during the period under review, including on investigations into such offences, prosecutions, convictions, penalties imposed on perpetrators and remedies made available to victims.

**Voluntary termination of pregnancy and right to sexual and reproductive health (arts. 6 and 7)**

12. With reference to the Committee's previous concluding observations (para. 12), please indicate whether the State Party has reconsidered the possibility of abolishing the requirement for a woman to obtain the approval of at least two physicians on a medical panel in order to have an abortion. Please provide information on the measures taken to eliminate the criminal penalties provided for against healthcare professionals who perform voluntary terminations of pregnancy. Please also indicate the measures taken to ensure access to education and awareness-raising programmes concerning the right to sexual and reproductive health, including those involving the Prenatal Coordination and Family Support Centre.

**Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (art. 7)**

13. Please indicate whether steps have been taken or are being taken to amend the Criminal Code to include a definition of torture and to adopt legislation explicitly criminalizing torture.

**Treatment of persons deprived of liberty (art. 10)**

14. Please report on efforts to relocate the prison (*maison d'arrêt*) to more suitable premises and to improve the conditions it currently affords, including by increasing access to natural light and space for activities. Please provide information on the measures taken to improve the condition of the waiting cells at the law courts (Palais de Justice).

**Trafficking in persons (arts. 2, 7, 8 and 26)**

15. Please provide information on the measures taken to prevent and combat trafficking, in particular trafficking for purposes of sexual exploitation and migrant trafficking for purposes of labour exploitation, including awareness-raising campaigns and measures to encourage victims to report cases. Please also provide information on the steps taken to ensure that any victims of trafficking detected receive prompt legal assistance and free legal aid, including before they are required to decide whether to cooperate with the competent authorities or make an official statement. Please describe efforts to: (a) identify and support victims of trafficking in persons, including the procedure for identifying child victims of trafficking and the proposed interdepartmental coordination plan for identifying and supporting victims of trafficking; and (b) provide targeted and regular training for the professionals concerned, in particular law enforcement officers, prosecutors, judges, labour inspectors, social workers, healthcare professionals and childcare professionals.

**Treatment of foreign nationals, including migrants, refugees and asylum-seekers (arts. 7, 9, 12, 13 and 24)**

16. Please provide information on the progress made in the development of a national legal framework for processing asylum claims or recognizing refugee status. Please describe the measures implemented to support Ukrainian refugees who have resettled in the State Party, including programmes put in place to ensure access to housing, food, medical care, education and employment.

**Access to justice, independence of the judiciary and right to a fair trial (arts. 2 and 14)**

17. Please report on the measures taken to guarantee, in law and in practice, the full independence, impartiality and competence of judges, including information on current procedures and criteria for the selection, appointment, promotion, suspension, disciplining and removal of judges. In this regard, please also provide information on the procedures and criteria for the selection of Supreme Court judges, in particular by the Prince. Please provide information on the measures taken to strengthen the autonomy of the High Council of the Judiciary, including by ensuring public access to its activity reports and to information concerning the process for appointing its members.

**Right to privacy (art. 17)**

18. Please describe all measures implemented to guarantee the right to privacy in the State Party, including the legal safeguards that are in place to prevent arbitrary or unlawful interference with the privacy or correspondence of individuals, in particular with regard to the protection of personal information, and indicate how these safeguards are applied in practice.

**Freedom of expression (arts. 19 and 20)**

19. In the light of the Committee's previous concluding observations (para. 10) and the information received from the State Party on its follow-up to the concluding observations,<sup>3</sup> please provide updated information on the State Party's reconsideration of the possibility of decriminalizing defamation or limiting the application of criminal law to the most serious cases of defamation. Please provide information on the measures taken to ensure the independence of local media from the risk of State interference.

**Freedom of association (arts. 22 and 26)**

20. In the light of the Committee's previous concluding observations (para. 13), please indicate whether the State Party has amended Ordinance-Law No. 399 of 6 October 1944 authorizing the establishment of professional trade unions, which stipulates that the executive committees of trade unions must be composed of a general secretary and a treasurer of Monegasque nationality, in order to bring it into line with articles 22 and 26 of the Covenant.

**Participation in public life (arts. 25 and 26)**

21. Please comment on the compatibility of articles 25 and 26 of the Covenant and the Committee's general comment No. 25 (1996) with Act No. 839 of 23 February 1968 on national and communal elections, which denies the right to vote to citizens with criminal convictions, regardless of the seriousness of the offence. Please specify whether the State Party is considering the possibility of granting political rights to foreign nationals residing in the State Party, in particular the right to vote. Please provide information on the legislative and other measures implemented to promote genuine political pluralism in the State Party.

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<sup>3</sup> [CCPR/C/MCO/CO/3/Add.1.](#)