

Recommendations on Criminal Justice¹

Universal Periodic Review of the United States of America, May 2015

The Universal Periodic Review (UPR) is a peer review mechanism through which the United Nations Human Rights Council scrutinizes the fulfillment of human rights obligations and commitments in each of the 193 UN Member states, relying in part on materials provided by domestic stakeholders such as civil society organizations.

Click [here](#) to read the complete report of the U.N. Human Rights Council.

In addition, the ACLU's report and briefing materials to the Human Rights Council Working Group on the UPR are available [here](#).

Sentencing reform

176.51. Pass legislation domestically to prohibit the passing of life imprisonment without the possibility of parole on offenders who were children at the time of offending, and ratify without any further delay the CRC (Fiji);

176.234. End the use of life imprisonment without parole for offenders under the age of 18 at the age of crime, regardless of the nature of that crime (Austria);

176.235. Abolish life imprisonment without possibility of parole for non-violent offenses (Benin);

176.275. Accelerate the process of passing a legislation to reform the mandatory minimum sentences begun with the Smart on Crime initiative (Nigeria);

Death penalty

176.165. Abolish the death penalty in those states where it is still used (Nicaragua) / Abolish the death penalty in all States of the Union (Ecuador);

176.166. Abolish the death penalty (Costa Rica);

176.167. Abolish the death penalty (Bolivia (Plurinational State of));

176.168. Continue efforts towards abolishing the death penalty (Austria);

176.169. Reduce gradually the number of persons sentenced to death, and that efforts on this matter are pursued (Congo);

¹ This document is a compilation based on the full [U.N. Universal Periodic Review Recommendations to the U.S.](#), which should be used as the authoritative document for citation purposes.

176.170. Introduce a moratorium at the federal level with view to achieving nationwide moratorium of capital punishment as a first step to abolishing such penalty (Lithuania);

176.171. Establish a federal moratorium on the death penalty with a view to the total abolition of the death penalty in USA (Luxembourg);

176.172. Establish a moratorium on death penalty at the federal as well as states level with a view to ultimately achieve nationwide legal abolition (Nepal);

176.173. Establish a moratorium on the death penalty aiming at its complete abolition in all states (Uruguay);

176.174. Establish a moratorium on the application of the death penalty aimed at its abolition and also condone the death penalty for an Argentinian citizen, Victor Saldano, who is on death row since 1996 (Argentina);

176.175. Impose a moratorium on executions with a view to abolish the death penalty at the federal as well as state level (Namibia) / Institute a moratorium on the application of the death penalty with a view to abolition (Togo) / Establish, at the federal level, a moratorium on executions with a view to abolish the death penalty (France) / Establish an official moratorium on the use of the death penalty (Montenegro) / Establish a moratorium on the application of the death penalty (Spain) / Impose a moratorium on executions and abolish the death penalty in all US states (Turkey) / Ensure the establishment of a moratorium of the death penalty in those States that have not abolished it yet (Chile);

176.176. Work towards a moratorium on executions with a view of abolishing the death penalty (Rwanda);

176.177. That federal and state authorities impose a moratorium on executions with a view to abolishing the death penalty nationwide (Portugal);

176.178. Impose a moratorium on executions with a view to abolish the death penalty nationwide (Iceland);

176.179. Impose a moratorium on executions with a view to abolishing the death penalty nationwide (Ireland);

176.180. Introduce a national moratorium on the death penalty aiming at complete abolition and take all necessary measures to ensure that the death penalty complies with minimum standards under international law. Exempt persons with mental illness from execution. Commit to ensuring that the origin of drugs being used is made public (Sweden);

176.181. Impose a moratorium on the use of the death penalty (Russian Federation);

176.182. Impose at least moratorium on death penalty (Azerbaijan);

176.183. Formally establish a moratorium on executions at the federal level while engaging with retentionist states to achieve a nationwide moratorium with the objective to ultimately abolish the death penalty nationwide (Germany);

176.184. Take all necessary steps to work towards an immediate moratorium on execution of the death penalty, with a view to a complete abolishment, in line with international human rights standards such as the right to live (Netherlands);

176.185. Take necessary steps to introduce a moratorium on the use of the death penalty at federal and state levels (Slovakia);

176.186. Impose a moratorium on executions with a view to abolishing the death penalty for federal offences (New Zealand);

176.187. Impose a moratorium on executions with a view to abolishing the death penalty nationwide, and that prosecutors in all jurisdictions cease pursuing death sentences (Estonia);

176.188. Continue efforts to establish a moratorium and eventually abolish capital punishment in all states (Sierra Leone);

176.189. Take into consideration the possibility to adopt a moratorium of capital executions at state and federal level, given that 26 States have abolished or adopted a moratorium of capital executions, (Italy);

176.190. Consider as a first step the application of a moratorium on executions, both at a State and Federal level, with a view to ultimately abolishing the death penalty (Cyprus) / Consider imposing an official moratorium on executions toward the complete abolition of the death penalty in the country (Greece);

176.191. Consider introducing on the federal level a moratorium on the use of the death penalty with a view to its permanent abolition (Holy See);

176.192. Consider adoption of a moratorium on the death penalty at the federal level (Uzbekistan);

176.193. A review of federal and state legislation to restrict the number of offences carrying the death penalty and steps towards federal and state-level moratoria on executions with a view to its permanent abolition (Norway);

176.194. Identify the root causes of ethnic disparities concerning especially those sentenced to capital punishment in order to find ways for eliminate ethnic discrimination in the criminal justice system (Angola);

176.195. Identify the factors of racial disparity in the use of the death penalty and develop strategies to end possible discriminatory practices (France);

176.196. When continuing to implement the death penalty, do not apply it to persons with intellectual disabilities (Spain);

176.197. Ensure that no person with a mental disability is executed (France);

176.198. Take specific measures in follow-up to the recommendations of the Human Rights Committee to the US in 2014 with regards to capital punishment such as measures to avoid racial bias, to avoid wrongful sentencing to death and to provide adequate compensation if wrongful sentencing happens (Belgium);

176.199. Strengthen the justice sector in order to avoid imposing the death penalty on those persons wrongly convicted, and reconsider the use of methods which give raise to cruel suffering when this punishment is applied (Democratic Republic of the Congo);

176.200. Strengthen safeguards against wrongful sentencing to death and subsequent wrongful execution by ensuring, inter alia, effective legal representation for defendants in death penalty cases, including at the post-conviction stage (Poland);

176.201. Continue the efforts on the progress towards the abolishment of the death penalty, based on the Department of Justice's review of how it is being applied in the country (Bulgaria);

176.202. Commit to full transparency on the combination of medicines used during executions by injection (France);

Ratify optional protocol to ICCPR to abolish the death penalty

176.11. Sign and ratify ICCPR-OP2, aiming at the abolition of the death penalty (Chile);

176.12. Consider the ratification of ICCPR-OP2 (Namibia);

176.13. Establish a formal moratorium on the death penalty with a view to ratifying the OP2-ICCPR (Australia);

Other criminal justice issues

176.236. Take further steps to improve the current conditions of its prisons (Japan);

176.274. Devise a national strategy for the re-insertion of former detainees and to prevent recidivism (Morocco);

176.276. Conduct in-depth examinations into how race-related issues are affecting law enforcement and the administration of justice (Ghana);

176.277. Conduct in-depth examinations into how race-related issues were affecting law enforcement and the administration of justice, both at the federal and state levels (Poland);

176.291. Ensure that youth in conflict with the law are handled by the juvenile justice system and have access to free legal advisory assistance (Republic of Moldova);

176.292. Ensure that children under 18 are handled by the juvenile justice system in all circumstances (Slovenia);