



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture

Concluding observations on the second periodic report of Kyrgyzstan*

The Committee against Torture considered the second periodic report of Kyrgyzstan (CAT/C/KGZ/2) at its 1192nd and 1195th meetings, held on 12 and 13 November 2013 (CAT/C/SR.1192 and 1195), and adopted the following concluding observations at its 1205th meeting (CAT/C/SR.1205).

A. Introduction

1. The Committee welcomes the submission of the second report of Kyrgyzstan, in response to the list of issues prior to reporting (CAT/C/KGZ/Q/2). However, the Committee regrets that it was submitted 10 years late, which prevented the Committee from conducting an analysis of the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in the State party following the consideration of its initial report in 1999.
2. The Committee notes with appreciation the participation of a high-level delegation from the State party and the opportunity to engage in a constructive dialogue covering many areas under the Convention.

B. Positive aspects

3. The Committee welcomes the fact that, since the consideration of the initial report, the State party has ratified or acceded to the following international instruments:
 - (a) The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (22 July 2002);
 - (b) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (12 February 2003) and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (13 August 2003);

* Adopted by the Committee at its fifty-first session (28 October–22 November 2013).



(c) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (29 September 2003);

(d) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (29 December 2008); and

(e) The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (6 December 2010).

4. The Committee notes the ongoing efforts by the State party to reform its legislation, policies and procedures, including:

(a) The adoption of the new Constitution in 2011;

(b) Amendments to the Criminal Code in 2012 and the Criminal Procedure Code in 2011;

(c) The adoption of three decrees (nos. 40, 70 and 75) by the General Prosecutor's Office in 2011; and

(d) The abolition of the death penalty in 2007.

C. Principal subjects of concern and recommendations

Impunity for, and failure to investigate, widespread acts of torture and ill-treatment

5. The Committee is deeply concerned about the ongoing and widespread practice of torture and ill-treatment of persons deprived of their liberty, in particular while in police custody to extract confessions. These confirm the findings of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/19/61/Add.2, paras. 37 et seq.), and of the United Nations High Commissioner for Human Rights (A/HRC/20/12, paras. 40–41). While the Kyrgyz delegation acknowledged that torture is practised in the country, and affirmed its commitment to combat it, the Committee remains seriously concerned about the substantial gap between the legislative framework and its practical implementation, as evidenced partly by the lack of cases during the reporting period in which State officials have been prosecuted, convicted and sentenced to imprisonment for torture (arts. 2, 4, 12 and 16).

6. The Committee is gravely concerned at the State party's persistent pattern of failure to conduct prompt, impartial and full investigations into the many allegations of torture and ill-treatment and to prosecute alleged perpetrators, which has led to serious underreporting by victims of torture and ill-treatment, and impunity for State officials allegedly responsible (arts. 2, 11, 12, 13 and 16).

In particular, the Committee is concerned about:

(a) The lack of an independent and effective mechanism for receiving complaints and conducting impartial and full investigations into allegations of torture. Serious conflicts of interest appear to prevent existing mechanisms from undertaking effective, impartial investigations into complaints received;

(b) Barriers at the pre-investigation stage, particularly with regard to forensic medical examinations, which in many cases are not carried out promptly following allegations of abuse, are performed by medical professionals who lack independence, and/or are conducted in the presence of other public officials, leading to the failure of the medical personnel to adequately record detainees' injuries, and consequently to investigators' failure to open formal investigations into allegations of torture, for lack of evidence;

(c) The apparent practice by investigators of valuing the testimonies of individuals implicated in torture over those of complainants, and of dismissing complaints summarily; and

(d) The failure of the judiciary to effectively investigate torture allegations raised by criminal defendants and their lawyers in court. Various sources report that judges commonly ignore information alleging the use of torture, including reports from independent medical examinations.

As a matter of urgency, the State party should take immediate and effective measures to prevent acts of torture and ill-treatment throughout the country, including by implementing policies that would eliminate impunity for perpetrators of torture and ill-treatment and ensure prompt, impartial, effective investigations into all allegations of torture and ill-treatment, prosecution of those responsible, and the imposition of appropriate sentences on those convicted. The State party should:

(a) Publicly and unambiguously condemn the use of all forms of torture, warning that any person ordering, committing, instigating, acquiescing to or acting as an accomplice to such acts shall be criminally prosecuted and punished;

(b) Establish an independent and effective mechanism to facilitate the submission of complaints by victims of torture and ill-treatment to public authorities; and ensure that complaint mechanisms are available and that complainants are protected in practice against abuse or intimidation as a consequence of their complaint or any evidence given;

(c) Ensure that all health professionals who encounter signs of torture and ill-treatment are under a legal obligation to document such abuses, in line with the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), that all persons deprived of their liberty are guaranteed timely access to a qualified and independent medical investigator upon their request, and that all medical examinations are carried out in private; and consider transferring responsibility for oversight of medical staff of detention facilities to the Ministry of Health; and

(d) Ensure that investigations into allegations of torture are not undertaken by or under the authority of the police, but by an independent body, that preliminary enquiries into complaints of torture are undertaken and concluded promptly upon receipt of the complaint, and that official investigations are opened in all cases where there are reasonable grounds to believe that torture was committed; and ensure that officials alleged to be responsible for violations of the Convention are suspended from their duties during such investigations.

7. The Committee remains seriously concerned by the State party's response to the allegations of torture in individual cases brought to the attention of the Committee, and particularly by the State party's authorities' refusal to carry out full investigations into many allegations of torture on the grounds that preliminary enquiries revealed no basis for opening a full investigation. The Committee is gravely concerned by the case of Azimjan Askarov, an ethnic Uzbek human rights defender prosecuted on criminal charges in connection with the death of a police officer in southern Kyrgyzstan in June 2010, which has been raised by several Special Rapporteurs, including the Special Rapporteur on the situation of human rights defenders (A/HRC/22/47/Add.4, para. 248; A/HRC/19/55/Add.2, para. 212). Mr. Askarov has alleged that he was beaten severely by police on numerous occasions immediately following his detention and throughout the course of the criminal proceedings against him, and that he was subjected to repeated violations of procedural safeguards such as prompt access to a lawyer and to an effective, independent medical examination. The Committee notes that independent forensic medical examinations appear

to have substantiated Mr. Askarov's allegations of torture in police custody, and have confirmed resulting injuries including persistent visual loss, traumatic brain injury, and spinal injury. Information before the Committee suggests that Mr. Askarov's complaints of torture have been raised on numerous occasions with the Prosecutor's office, as well as with the Kyrgyz Ombudsman's office, and with Bazar-Korgon District Court, the Appeal Court and the Supreme Court. To date, however, the State party's authorities have declined to open a full investigation into his claims, relying on allegedly coerced statements made by Mr. Askarov while in police custody that he had no complaints. The Committee understands that the State party is presently considering the possibility of further investigating these claims. The Committee is concerned by the State party's refusal to undertake full investigations into allegations of torture regarding other cases raised during the review, including those of Nargiza Turdieva and Dilmurat Khaidarov (arts. 2, 12, 13 and 16).

As a matter of urgency, the State party should: (a) undertake a full, effective and independent investigation into the claims of torture made by Azimjan Askarov; (b) ensure that Azimjan Askarov receives adequate medical care; and (c) review the grounds for his continued detention in light of his allegations. The State party should also ensure that torture claims made by Nargiza Turdieva and Dilmurat Khaidarov are fully, impartially and effectively investigated.

8. The Committee remains concerned at the lack of full and effective investigations into the numerous allegations that members of the law enforcement bodies committed torture and ill-treatment, arbitrary detention and excessive use of force during and following the inter-ethnic violence in southern Kyrgyzstan in June 2010. The Committee is concerned by reports that investigations, prosecutions, condemnations and sanctions imposed in relation to the June 2010 events were mostly directed against persons of Uzbek origin, as noted by sources including the Committee on the Elimination of Racial Discrimination, in 2013 (CERD/C/KGZ/CO/5-7, paras. 6-7). The Committee further regrets the lack of information provided by the State party on the outcome of the review of 995 criminal cases relating to the June 2010 violence (arts. 4, 12, 13 and 16).

The State party should take effective measures to ensure that all allegations of torture or ill-treatment, related to the June 2010 violence, by security or law enforcement officials are fully and impartially investigated, and that the officials responsible are prosecuted. In particular, the State party should ensure that:

(a) A thorough and impartial review of 995 criminal cases related to the June 2010 violence is conducted, and, when appropriate, proceedings are reopened in cases in which torture allegations have not been fully investigated or in which serious violations of due process rights have been revealed;

(b) Security or law enforcement officials found responsible are subjected to disciplinary and/or criminal penalties for torture and ill-treatment; and

(c) Allegations of any public official's infliction of, ordering of, or acquiescence to torture or ill-treatment against ethnic Uzbeks is fully and effectively investigated and, as appropriate, prosecuted.

Fundamental legal safeguards

9. The Committee expresses its serious concern at the State party's failure to afford to all persons deprived of their liberty, especially those held in pretrial detention, all fundamental legal safeguards, as described in the Committee's general comment no. 2 (2007) on implementation of article 2 by States parties (paras. 13-14), from the outset of deprivation of liberty. The Committee is particularly concerned at reports that detainees are frequently denied access to an independent lawyer of their choice, that police officers

forcibly extract confessions in the early stages following apprehension, before formal detention or arrest, and that in practice lawyers need to secure special permission from investigators to have access to their clients (arts. 2, 11, 12, 13, 15 and 16).

The State party should ensure that:

(a) **All persons deprived of liberty are afforded, in law and in practice, all fundamental legal safeguards from the very outset of their deprivation of liberty, including the rights to prompt access to a lawyer of their choice, to request a medical examination by an independent doctor, to contact family members, to be informed promptly of their rights, including about the charges against them, and to be brought before a judge within 48 hours of their deprivation of liberty;**

(b) **All persons deprived of their liberty have prompt access to assistance from independent lawyers, and can communicate privately with them;**

(c) **All detainees, including minors, are included in a central register of persons deprived of liberty, in which relevant information about fundamental safeguards is immediately recorded, and which can be accessed by the lawyers and family members of those detained and others as appropriate; that the State party monitors the provision of safeguards to persons deprived of their liberty, including public officials' compliance with registration requirements; and that any public official who denies fundamental legal safeguards to such detained persons is disciplined or prosecuted.**

Definition and criminalization of torture

10. While welcoming the recent amendment in the Criminal Code on the definition of torture, the Committee regrets that the current definition of torture in article 305(1) of the Criminal Code limits criminal responsibility to public officials, excluding other persons acting in an official capacity. Furthermore, the Committee regrets that the specific offence of torture is not punishable by appropriate penalties, as required by the Convention. The Committee is also concerned that the statute of limitations applicable to the offence of torture under domestic law may prevent investigation, prosecution and punishment of these non-derogable crimes (arts. 1, 2 and 4).

The State party should continue its efforts to bring its domestic law into accordance with the Convention, inter alia by ensuring that the definition of torture in article 305(1) of the Criminal Code covers all the elements contained in article 1 of the Convention and that acts of torture are punishable by appropriate penalties commensurate with the gravity of the offence, as set out in article 4, paragraph 2 of the Convention. Furthermore, the State party should ensure that the prohibition against torture is absolute and that there is no statute of limitations for acts of torture.

Status of the Convention in the domestic legal order

11. While welcoming the fact that international treaties are directly applicable in the State party under article 6 of the Constitution, the Committee notes with concern that the Convention has never been directly invoked in domestic courts (CAT/C/KGZ/2, para. 14) (arts. 2 and 10).

The State party should take necessary measures to ensure de facto applicability of the provisions of the Convention in its domestic legal order, inter alia by training the judiciary and law enforcement personnel on the provisions of the Convention.

Independence of the judiciary

12. While noting the State party's efforts to guarantee the independence of judges, the Committee remains concerned at the reported lack of independence of the judiciary, in particular the process of selecting judges, the attestation procedure for judges, and the requirement for re-evaluation every seven years, as well as the low level of salaries and the uncertain tenure of judges, which may lead to corruption. It is also deeply concerned at reports that corruption in the judiciary significantly contributes to a climate of impunity (art. 2).

The State party should strengthen the independence and impartiality of the judiciary for the performance of its duties in accordance with international standards, notably the Basic Principles on the Independence of the Judiciary, inter alia by guaranteeing judges' security of tenure. The State party should implement the recommendations regarding Kyrgyzstan made by the Special Rapporteur on the independence of judges and lawyers (E/CN.4/2006/52/Add.3).

Coerced confessions

13. The Committee is seriously concerned at numerous, consistent and credible reports that the use of forced confessions as evidence in courts is widespread. While noting that the use of evidence obtained through unlawful means is prohibited by law, it is deeply concerned that in practice there is a heavy reliance on confessions within the criminal justice system. The Committee is further concerned at reports that judges have frequently declined to act on allegations made by criminal defendants in court, or to allow the introduction into evidence of independent medical reports that would tend to confirm the defendant's claims of torture for the purpose of obtaining a confession. The Committee regrets the lack of information provided by the State party on cases in which judges or prosecutors have initiated investigations into torture claims raised by criminal defendants in court, and is alarmed that no official has been prosecuted and punished for torture even in the single case brought to its attention in which a conviction obtained by torture was excluded from evidence by a court – that of Farrukh Gapiurov, who was acquitted by the Osh Municipal Court of involvement in the June 2010 violence (arts. 2 and 15).

The Committee urges the State party to:

(a) Adopt legislation explicitly prohibiting the use of evidence obtained through torture, in line with article 15 of the Convention, and ensure its implementation;

(b) Ensure that judges and prosecutors initiate investigations and take other appropriate remedial measures ex officio whenever a criminal defendant or his or her lawyer presents reasonable grounds to believe that a confession has been obtained through torture or ill-treatment, and ensure that the perpetrators of such abuses are prosecuted and, upon conviction, punished, including in the case of Farrukh Gapiurov;

(c) Ensure that the findings of independent forensic medical examinations of criminal defendants who allege that they were tortured are considered admissible as evidence in court proceedings and given evidentiary weight equivalent to that given to the reports of State-employed medical professionals, where appropriate.

National human rights institution

14. The Committee is concerned that the organization and the prerogatives of the Office of the Ombudsman do not comply with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), especially

concerning the tenure and selection process for the Ombudsman and lack of independence. The Committee regrets that the Ombudsman (Akyikatchy) Act establishes that, if the annual report is not approved, the Ombudsman may be removed from his or her post (CAT/C/KGZ/2, para. 64). The Committee notes that the State party envisages adopting a draft law to strengthen the Office of the Ombudsman (arts. 2, 11 and 13).

The State party should bring the Office of the Ombudsman into compliance with the Paris Principles, inter alia by ensuring its independence and providing adequate resources for its operation.

National preventive mechanism

15. While welcoming the establishment of the National Centre of the Kyrgyz Republic for the Prevention of Torture, the Committee remains concerned that it has not yet begun activities as the country's national preventive mechanism, mainly due to the inadequate budget (art. 16).

The State should ensure that: (a) the National Centre for the Prevention of Torture has the necessary financial, human and material resources to fulfil its mandate independently and effectively; and (b) all persons involved in the administration of places of detention are aware of the rights of members of the National Centre for the Prevention of Torture.

Human rights defenders

16. The Committee expresses serious concern at numerous reports of intimidation, reprisals and threats against human rights defenders, journalists and lawyers, as well as at the absence of information on investigations into such allegations (arts. 2, 12 and 16).

In particular, the Committee is concerned about:

(a) Reports that human rights defenders have been arrested on criminal charges, apparently in retaliation for their work: and trials in which numerous due process violations have been reported, including regarding the aforementioned case of Azimjan Askarov;

(b) The State party's failure to prevent and punish physical attacks against lawyers, perpetrated both inside and outside the courts, as seen in the violent attacks on Tatyana Tomina as reported by the Special Rapporteur on the situation of human rights defenders (A/HRC/19/55/Add.2, para. 211). Ms. Tomina was reportedly beaten again on 2 April 2013, along with another lawyer, Ulugbek Usmanov, inside the Supreme Court;

(c) Several troubling legislative proposals currently under consideration by Parliament, including a draft law that would provide the authorities with wide discretion to interfere with the internal affairs of national and international non-governmental organizations, and to suspend or liquidate their activities on vague administrative grounds; as well as a draft law that would modify the definition of the crime of treason in a way that could chill civil society provision of information on human rights conditions to international bodies.

In line with the commitment made by the State party in the context of the universal periodic review (A/HRC/15/2, paras. 76.57 and 76.74), the State party should take all necessary steps to:

(a) **Ensure that human rights defenders and independent lawyers are protected from intimidation or violence as a result of their activities;**

(b) **Ensure the prompt, impartial and thorough investigation of all allegations of harassment, torture or ill-treatment of human rights defenders,**

including Askarov, Tomina, and Usmanov, and prosecute and punish the perpetrators with appropriate penalties;

(c) Consider accepting the request for a visit by the Special Rapporteur on the situation of human rights defenders (A/HRC/22/47/Add.4, para. 250);

(d) Refrain from enacting legislation that would impede the ability of human rights defenders to conduct their activities in line with the provisions of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms; and ensure that no individual or group will be subjected to prosecution in reprisal for cooperating with United Nations or other international, regional, or national human rights entities.

Deaths in custody

17. The Committee is deeply concerned about reports of deaths in custody or immediately after release, and the authorities' failure to investigate such cases, often despite medical reports revealing marks of beating, as in the case of Bektemir Akunov (A/HRC/7/3/Add.1, para. 121) and the cases of three ethnic Uzbeks raised in the report of the United Nations High Commissioner for Human Rights (A/HRC/20/12, para. 39). The Committee notes the concern raised by the Special Rapporteur on the question of torture that independent investigations launched into deaths in custody are the exception rather than the rule in Kyrgyzstan and that relatives of victims often come under pressure from the police to withdraw their complaints or to settle in order to close the case. The Committee regrets the State party's failure to implement the Human Rights Committee's Views on the case of death in custody referred to in communication No. 1756/2008 (arts. 2, 11, 12 and 16).

The Committee urges the State party to:

(a) Promptly, thoroughly and impartially investigate all incidents of death in custody; and prosecute those responsible for acts of torture, ill-treatment or wilful negligence and punish them with appropriate penalties; and

(b) Ensure independent forensic examinations in all cases of death in custody; permit family members of the deceased to commission independent autopsies; and ensure that the State party's courts accept the results of such independent autopsies as evidence in criminal and civil cases.

Violence against women, including rape and bride-kidnapping

18. While noting various initiatives by the authorities to combat violence against women, the Committee remains concerned at (a) reports of widespread violence against women, including domestic violence, trafficking and bride-kidnapping; and (b) the lack of information provided about prosecutions for such violence. The Committee regrets that existing law prohibiting domestic violence and bride-kidnapping is not implemented in practice, mainly due to the lack of a political commitment and appropriate training for law enforcement officials and the judiciary (arts. 2, 12, 13, 14 and 16).

The State party should:

(a) Effectively combat violence against women, inter alia by promptly investigating complaints related to such violence, including domestic violence and bride-kidnapping, and institute criminal proceedings against perpetrators and those aiding and abetting the kidnappings, even in the absence of a formal complaint;

(b) **Protect victims of domestic violence, including by establishing appropriate shelters across the country; and**

(c) **Step up its awareness-raising campaigns to sensitize the population to these problems.**

Ill-treatment and torture based on sexual orientation and gender

19. The Committee is concerned at (a) reports of police harassment, arbitrary arrest, ill-treatment and torture, including through sexual violence, perpetrated against persons on the basis of their sexual orientation or gender identity, including lesbian, gay, bisexual and transgender (LGBT) persons; and (b) the authorities' more general failure to investigate allegations of sexual violence by officials, to punish perpetrators of such violence and to provide effective remedies to victims, as in the case of Ms. Zulhumor Tohtonazarova. Furthermore, it is concerned at the little progress in investigating reports of rape and sexual violence during and after the June 2010 violence (arts. 2, 11 and 16).

The State party should ensure prompt, impartial, and thorough investigations of all allegations of ill-treatment and torture committed by police and detention officials against LGBT persons or others on the basis of their sexual orientation or gender identity, and prosecute and, upon conviction, punish perpetrators with appropriate penalties.

Conditions of detention

20. While noting some minor improvements in certain detention facilities, both with assistance from international organizations and through the Government's own programmes, the Committee is concerned at the prevalence of extremely harsh living conditions in places of deprivation of liberty, including prison overcrowding, insufficient food and drinking water, lack of ventilation, lack of hygiene, the prevalence of tuberculosis, and poor health care. It is also concerned at the deplorable conditions of inmates sentenced to life imprisonment (A/HRC/19/61/Add.2, para. 69) (arts. 11 and 16).

The State party should intensify efforts to improve the conditions of detention in places of deprivation of liberty, including detention facilities for inmates serving life terms, bringing them into line with international standards, inter alia the Standard Minimum Rules for the Treatment of Prisoners (Economic and Social Council resolutions 663C (XXIV) and 2076 (LXII)).

Violence against children

21. Although corporal punishment of children is unlawful in schools, the penal system and certain care settings, the Committee is concerned at allegations that a high number of children experience violence, abuse or neglect in the family and some care settings (art. 16).

The State party should explicitly prohibit corporal punishment of children in all settings, including at home and in institutions and alternative care settings, and ensure awareness-raising and public education measures.

Redress, including compensation and rehabilitation

22. While noting that victims' rights to rehabilitation and compensation are guaranteed in domestic legislation (CAT/C/KGZ/2, paras. 219 et al.), the Committee is concerned at the State party's failure to provide redress, including compensation and rehabilitation, to victims of torture and ill-treatment. The Committee regrets: (a) article 417 of the Criminal Procedure Code which hampers victim's rights to redress from a civil court until a criminal court has convicted the perpetrators; (b) the State party's failure to implement the Views of

the Human Rights Committee on several cases relating to torture and ill-treatment, despite article 41(2) of the Constitution which requires a remedy upon the finding by an international body of a violation; and (c) the lack of State-supported specialized rehabilitation services for torture victims, with the result that all available rehabilitation in the State party is provided by a non-governmental organization dependent on outside funding (art. 14).

Noting the Committee's general comment no. 3 (2012) on implementation of article 14 by States parties, the State party should ensure de jure and de facto access to timely and effective redress for all victims of torture and ill-treatment, by:

(a) Adopting and implementing legislation and policies explicitly providing for the right to remedy and reparation for victims of torture and ill-treatment;

(b) Ensuring that effective rehabilitation services and programmes are established in the State that are accessible to all victims without discrimination, and are not dependent upon the victim pursuing judicial remedies;

(c) Taking necessary measures to protect the safety and personal integrity of victims and their families seeking compensation or rehabilitation services;

(d) Complying with the Views of the Human Rights Committee relating to rights to remedy for torture victims.

Refugees and asylum seekers

23. While noting positive steps, including the amendment of the Refugees Act in 2012, the Committee expresses its concern at reports that several refugees and asylum seekers from a neighbouring country were forcibly or secretly returned and that refugees continue to be at risk of refoulement, or of abduction by security services of the neighbouring country, sometimes in cooperation with Kyrgyz counterparts. The Human Rights Committee found that the extradition by Kyrgyzstan of four Uzbeks, recognized as refugees by the United Nations High Commissioner for Refugees, to Uzbekistan, breached their right to freedom from torture (communication Nos. 1461/2006, 1462/2006, 1476/2006 and 1477/2006). Moreover, the Committee shares the concern raised by the Committee on the Elimination of Racial Discrimination that a discriminatory approach to registration procedures and recognition of refugee status for foreign Uighurs and Uzbeks places them at risk of police harassment and refoulement (CERD/C/KGZ/CO/5-7, para. 17) (art. 3).

The State party should take all necessary measures to ensure the principle of non-refoulement, inter alia by bringing its current procedures and practices into line with article 3 of the Convention; and to ensure adequate judicial mechanisms for the review of decisions, sufficient legal defence for persons subject to extradition, and effective post-return monitoring arrangements.

Training

24. While noting various human rights training programmes for public officials and judges, the Committee regrets: (a) the insufficient level of practical training with regard to the provisions of the Convention for law enforcement officers and the judiciary; (b) the lack of specific training to detect signs of torture and ill-treatment for medical personnel dealing with detainees; and (c) the lack of information on the impact of existing training programmes on the prevention of the offences of torture or ill-treatment (art. 10).

The State party should:

(a) Reinforce training programmes on the absolute prohibition of torture and the State party's obligations under the Convention, taking a gender-sensitive

approach, for all personnel involved in custody, detention, interrogation and treatment of detainees as well as the judiciary; and

(b) Provide all relevant personnel, especially medical personnel, with training on how to identify signs of torture and ill-treatment and how to use the Istanbul Protocol.

Lack of data

25. The Committee regrets the lack of comprehensive or disaggregated data on compliance with the State party's obligations under the Convention (arts. 2, 12, 13 and 19).

The State party should compile and provide to the Committee statistical data relevant to the monitoring of the implementation of the Convention at the national level, including the type of bodies engaged in such monitoring, disaggregated, inter alia, by sex, ethnicity, age, crime and geographical location, including information on complaints, investigations, prosecutions and convictions of cases of torture and ill-treatment, deaths in custody, trafficking, domestic and sexual violence, and the outcomes of all such complaints and cases, including compensation and rehabilitation provided to victims.

26. The Committee recommends that the State party consider making the declarations under articles 21 and 22 of the Convention.

27. The Committee invites the State party to ratify United Nations human rights treaties to which it is not yet a party, particularly the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities.

28. The State party is requested to disseminate widely the report submitted to the Committee and the Committee's concluding observations, in appropriate languages, through official websites, the media and non-governmental organizations.

29. The Committee requests the State party to provide, by 23 November 2014, follow-up information in response to the Committee's recommendations related to (a) ensuring the respect of fundamental legal safeguards; (b) conducting prompt, impartial and effective investigations; and (c) prohibiting the use of evidence obtained through torture, as contained in paragraphs 7, 8, 10 and 14 of the present document.

30. The State party is invited to submit its next report, which will be the third periodic report, by 23 November 2017. For that purpose, the Committee will, in due course, submit to the State party a list of issues prior to reporting, considering that the State party has accepted to report to the Committee under the optional reporting procedure.