



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

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Committee against Torture

Concluding observations on the initial report of Mauritania adopted by the Committee at its fiftieth session (6–31 May 2013)

1. The Committee against Torture considered the initial report of Mauritania (CAT/C/MRT/1) at its 1138th and 1141st meetings (CAT/C/SR.1138 and 1141), held on 8 and 10 May 2013. At its 1161st meeting (CAT/C/SR.1161), held on 27 May 2013, the Committee adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the initial report of Mauritania. It does note, however, that the report is not entirely in conformity with the Committee's reporting guidelines and regrets that the State party has submitted this report seven years after it was due.

3. The Committee appreciates the open dialogue held with the State party's delegation and the responses provided to the questions posed by Committee members during their consideration of the report. However, it regrets that representatives of all the relevant ministries were not in attendance.

B. Positive aspects

4. The Committee notes with satisfaction that the State party has ratified or acceded to the following international instruments:

(a) The International Covenant on Economic, Social and Cultural Rights (17 November 2004);

(b) The International Covenant on Civil and Political Rights (17 November 2004);

(c) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (22 July 2005);

(d) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (22 January 2007);

(e) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (23 April 2007);

- (f) The Convention on the Rights of Persons with Disabilities (3 April 2012);
- (g) The Optional Protocol to the Convention on the Rights of Persons with Disabilities (3 April 2012);
- (h) The International Convention for the Protection of All Persons from Enforced Disappearance (3 October 2012);
- (i) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (3 October 2012).

5. The Committee takes note with satisfaction of the State party's efforts to revise its legislation and, in particular, of its adoption of the following instruments:

- (a) Act No. 2003-025 of 17 July 2003 on the suppression of trafficking in persons;
- (b) Ordinance No. 2005-015 of 5 December 2005 on the judicial protection of children;
- (c) Ordinance No. 2007-36 of 17 April 2007, which sets out the Code of Criminal Procedure;
- (d) Act No. 2007-048 of 3 September 2007, which classifies slavery as a criminal offence and provides for the suppression of slavery-like practices;
- (e) The Migrant Smuggling Act of 22 January 2010;
- (f) The Ministerial Order issued by the Ministry of the Civil Service, Labour and the Modernization of Public Administration in 2011 which sets out regulations governing the employment of men and women as domestic servants and defines forms of employment that violate labour laws (including the provisions of the conventions ratified by Mauritania, as well as the Mauritanian Labour Code) as criminal offences.

6. The Committee commends the State party on its cooperation with the Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, and with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

C. Principal subjects of concern and recommendations

Definition and criminalization of torture

7. The Committee remains concerned by the fact that, over eight years after becoming a party to the Convention, the State party has still not incorporated a provision into its criminal legislation that explicitly defines and penalizes torture as a specific criminal offence and that acts of torture can be punished only as the offences of assault and battery or homicide (arts. 1 and 4). Although the delegation of the State party stated orally that a new law adopted in March 2013 would criminalize torture and slavery in its first article and establish both offences as crimes against humanity, the Committee is concerned that a legal void conducive to impunity might continue to exist if the above-mentioned law is not promulgated (arts. 1, 4 and 14).

(a) The Committee recommends that the State party amend its Criminal Code to include a definition of torture that incorporates all the elements of torture defined in article 1 of the Convention, together with provisions which classify acts of torture as a criminal offence that is subject to penalties commensurate with the gravity of such acts;

(b) The State party should expedite its legislative reform process and take the necessary steps to promulgate and publish the above-mentioned law of March 2013 in order to fill the existing legal void. It should also make a determined effort to disseminate the contents of this law widely and to provide special training on this law to security and law enforcement personnel.

Allegations of torture and ill-treatment

8. The Committee notes with satisfaction that the first article of Ordinance No. 2007-36 (amending Ordinance No. 83-163 of 9 July 1983, which sets out the Code of Criminal Procedure) provides that “a confession obtained under torture, violence or duress is devoid of value”. It also notes with satisfaction reports that the Supreme Court refused to admit confessions obtained under torture into evidence in the 2007 trial of a number of Salafists, which paved the way for a reduction in the sentences of some of the defendants and the acquittal of others. The Committee observes, however, that these reports indicate that detainees are being tortured and ill-treated, including in unofficial places of detention. While noting that article 15 of Act No. 2010-007 of 20 January 2010 regulating the National Police prohibits police officers from inflicting “cruel or degrading treatment that would constitute human rights violations”, the Committee is particularly concerned by credible reports that, since 2009, at least two prisoners have died after being tortured (arts. 2, 11, 15 and 16).

The State party should:

(a) Give clear, official instructions to members of the security forces (police and gendarmerie) which state that the prohibition of torture is absolute, that it is a criminal offence and that the perpetrators of such acts will be prosecuted and receive punishments commensurate with the gravity of the offence;

(b) Take effective steps to ensure that thorough, independent and impartial investigations are conducted, without delay, into all allegations of torture or ill-treatment, that the perpetrators of such acts are brought before the courts and that appropriate penalties are imposed upon them;

(c) Take all necessary steps to ensure that confessions obtained under torture are not used as evidence against the authors of such confessions during investigations or trials;

(d) Raise judges’ awareness of their obligation to open inquiries into any allegations of torture which are brought to their attention.

Direct application of the Convention by national courts

9. While the Committee is pleased to learn that the Convention can be invoked directly in the courts of the State party and takes precedence over national laws, it is concerned by information it has received that acts of torture can be punished only as the offences of assault and battery or homicide because torture is not a criminal offence in its own right. Moreover, the Committee regrets the lack of information on cases in which the Convention has been applied by the courts of the State party or has been invoked before them (art. 2).

The State party should incorporate the obligations prescribed by the Convention into its national legislation. It should also make certain that public officials, judges, magistrates, prosecutors and attorneys receive training that covers the provisions of the Convention so that they will be in a position to apply them directly and to assert the rights they establish before the courts of the State party.

Fundamental legal safeguards

10. The Committee is particularly concerned about the fact that article 57 of the Code of Criminal Procedure states that a person may be held in police custody for a period of 15 days in connection with terrorist crimes or crimes that threaten national security, and that this period may be extended twice for a further 15 days each time if authorization to do so is received from the public prosecutor, especially since persons in police custody have no means of challenging the legality of their detention. The Committee is also particularly concerned by the fact that article 3 of Act No. 2010-043 of 21 July 2010 on combating terrorism defines terrorism in broad and vague terms (art. 2).

The State party should:

(a) Immediately take effective steps to ensure that all persons who are deprived of their liberty have the benefit of all of the following fundamental legal safeguards from the moment that they are taken into police custody:

- (i) The right to be informed of the reasons for their arrest;**
- (ii) The right to have prompt access to independent legal counsel from the moment that they are deprived of their liberty and, if necessary, to legal aid;**
- (iii) The right to be examined by an independent physician and to contact a family member; and**
- (iv) The right to be brought before a judge without delay and to have the legality of their detention examined by a court in accordance with international standards;**

(b) Release and compensate all persons who have been detained arbitrarily;

(c) Abolish the provision under which people may be held in police custody for a 15-day period in connection with terrorist offences or crimes that threaten national security, and establish a maximum 48-hour period instead;

(d) Introduce an amendment to Act No. 2010-043 on combating terrorism to restrict its scope in a manner that will avert arbitrary arrests and forms of treatment that are prohibited under the Convention.

Incommunicado detention and enforced disappearances

11. The Committee is concerned by allegations of persons being held in incommunicado detention, a practice that is conducive to torture and enforced disappearances.

The State party should:

(a) Ensure that a register is kept of all persons deprived of their liberty and that the register is up-to-date and made available to all competent judicial authorities. The information in the register should include:

- (i) The identity of the person deprived of their liberty;**
- (ii) The date, time and place at which the person was placed in detention and the name of the official or body who deprived them of their liberty;**
- (iii) The reasons for their detention;**
- (iv) The official or body overseeing their detention;**
- (v) Notes on their state of health;**
- (vi) If the detainee dies in custody, the circumstances and causes of death and the place to which the body will be taken; and**

(vii) **The time and date of their release or of their transfer to another place of detention and, where applicable, the place to which they were transferred and the official or body overseeing the transfer;**

(b) **Promptly incorporate a definition of the crime of enforced disappearance in national legislation;**

(c) **Take effective steps to ensure that thorough, independent and impartial criminal investigations are conducted, without delay, into all allegations of torture or ill-treatment and that the perpetrators of such acts are brought before the courts, which should impose appropriate penalties on them.**

Order from a superior

12. While taking note of the State party's statement to the effect that, in accordance with the decree which sets forth the National Police Code of Ethics, a person who obeys the order of a superior to commit an act of torture is liable to administrative penalties, without prejudice to the penalties prescribed by law, as well as the oral reports that article 14 of Act No. 2010-07 regulating the National Police subordinates the obligation to obey an order from a superior to the laws and regulations that are in force, the Committee remains concerned by the fact that these provisions apply only to the police. Moreover, these provisions do not establish a formal system for protecting subordinates from reprisals if they refuse to obey a superior who orders them to commit an act of torture (art. 2).

The State party should ensure, both by law and in practice, and in accordance with article 2, paragraph 3, of the Convention, that the execution of such an order cannot be invoked as a justification for torture. The State party should also introduce a system for protecting subordinates from reprisals if they refuse to obey an order from a superior that would be in violation of the Convention.

National Human Rights Commission

13. The Committee notes with satisfaction that the National Human Rights Commission was established in 2006 and that it has been classified as having A status under the Paris Principles since 2011. The Committee is satisfied that the Commission has sufficient opportunity to carry out unannounced visits to all places of detention within the State party and to make recommendations to the relevant authorities (art. 2).

The State party should provide the Commission with the financial and human resources it needs in order to fulfil its mandate, to publicize its recommendations and to reinforce its independence in full conformity with the Paris Principles (General Assembly resolution 48/134).

National mechanism for the prevention of torture

14. The Committee notes that, having ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the State party is obliged to establish a national preventive mechanism (art. 2).

The State party should take the appropriate steps, in consultation with all stakeholders, to establish a national preventive mechanism in accordance with article 3 of the Optional Protocol to the Convention by October 2013 and to provide it with the financial and human resources that it needs in order to carry out its work effectively on an entirely independent basis in accordance with articles 3 and 17 of the Optional Protocol and the Guidelines on National Preventive Mechanisms (CAT/OP/12/5).

Independence of the judiciary

15. The Committee is concerned by credible reports regarding the exertion of pressure on members of the judiciary and interference in the judicial system. The fact that article 89 of the Constitution of 1991 states that the President of the Republic is the “guarantor of the independence of the judiciary” and presides over the Supreme Council of the Judiciary only heightens the Committee’s concerns in this respect. The Committee is concerned by the absence of measures to guarantee the effective independence of the judiciary (art. 2).

The State party should:

(a) Guarantee the full independence of the judiciary, in accordance with the Basic Principles on the Independence of the Judiciary (General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985);

(b) Take appropriate measures to guarantee and protect the independence of the judiciary and ensure that its operations are free from any pressure or interference from the executive;

(c) Provide the courts and judges with the support they need to operate in a wholly independent manner, including the necessary human, technical and financial resources;

(d) Establish an independent body to review disciplinary decisions;

(e) Invite the Special Rapporteur on the independence of judges and lawyers to visit the State party.

Non-refoulement, migrants, refugees and asylum seekers

16. The Committee takes note with satisfaction of the fact that a new title that was added to the Code of Criminal Procedure in 2011 bars extradition if the person whose extradition is being requested would be in danger of being subjected to torture in the requesting State. The Committee is also pleased that the State party has opened up its borders to Malians who have been displaced by the violence that erupted in northern Mali in January 2012. The Committee has taken note of the information provided to it regarding the conclusion of agreements between the State party and Spain to combat irregular immigration and wishes to express its concern about the possibility of asylum seekers being mistaken for irregular immigrants, which could result in their arbitrary detention and violations of the principle of non-refoulement. The Committee finds it regrettable that information has not been made available regarding any decisions that would ensure that the State party effectively fulfils its obligation under article 3 of the Convention to uphold the principle of non-refoulement in the course of extradition proceedings, immigrant visa application procedures and asylum application procedures (arts. 2 and 3).

The Committee recommends that the State party:

(a) Ensure that no one, regardless of whether he or she is in the country in an irregular situation, is expelled, extradited or returned to a State where there are substantial grounds for believing that he or she would be in danger of being subjected to torture, that decisions in this connection are taken on the basis of an examination of each person’s individual case and that the persons concerned can appeal against such decisions;

(b) Ensure that any person who is detained in connection with the effort to combat irregular immigration has access to an effective judicial remedy which allows that person to challenge the legality of administrative decisions regarding his or her detention, expulsion or refoulement;

(c) **Ensure that asylum seekers are held in detention only as a last resort and, if this becomes necessary, that they are held for as short a time as possible and that use is made of alternatives to detention whenever feasible;**

(d) **Issue identity documents to Mauritians who were expelled in the past and then repatriated, as well as to their family members.**

Training

17. While noting that many training sessions dealing with human rights and other subjects are organized for members of the security services, the Committee is concerned by the absence of training on the Convention against Torture, and particularly regarding the absolute prohibition of torture, for police officers, gendarmes, criminal investigation police, prison guards and law enforcement personnel such as judges, prosecutors and lawyers. It is also concerned by the fact that the guidelines set out in the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol, 1999) are not systematically followed in investigations into cases of torture or ill-treatment (art. 10).

The Committee recommends that the State party:

(a) **Establish training programmes and develop modules on human rights to ensure that security and law enforcement personnel are fully aware of the provisions of the Convention and particularly of the absolute prohibition of torture;**

(b) **Provide training in respect of the Istanbul Protocol on a regular and systematic basis to medical personnel, forensic doctors, judges, prosecutors and all other persons involved in the custody, interrogation or treatment of any individual who is arrested, detained or imprisoned, as well as to anyone else involved in investigations into cases of torture;**

(c) **Develop and apply a methodology for evaluating the effectiveness of educational and training programmes dealing with the Convention against Torture and the Istanbul Protocol and for assessing their impact in helping to reduce the number of cases of torture or ill-treatment.**

Investigations

18. The Committee is deeply concerned by the fact that information on the prosecution of persons who have committed acts of torture has not been made available. It is also concerned about the conspicuous absence of statistics on the number of criminal charges of torture that have been brought, the investigations undertaken into complaints of torture and the convictions obtained in such cases, inasmuch as this suggests that no court has as yet been able to apply the provisions of the Convention because there is no law that defines torture as a criminal offence or that sets out punishments for acts of torture. The Committee is also concerned by the reports it has received that the State party's authorities have been slow to investigate claims that acts of torture were committed in 2011 and 2012 in Nouakchott, Kaédi and Ould Yengé. The Committee is also deeply concerned by the scant information on the case of Hassane Ould Brahim, who was being held in the Dar Naïm prison in Nouakchott and who is said to have died in October 2012 after having been tortured by prison guards (arts. 12 and 13).

The State party should:

(a) **Put an end to torture and to inhuman and degrading treatment, and ensure that allegations of torture, ill-treatment or excessive use of force by police or security forces are promptly investigated, that the persons concerned are prosecuted and convicted, as applicable, and that the penalties imposed are commensurate with**

the gravity of the offences committed, in line with the commitment made by the State party during the universal periodic review in November 2010;

(b) Introduce a provision in the Criminal Code establishing that the crime of torture is not subject to any statute of limitation;

(c) Provide the Committee with detailed information on the investigations conducted into the death of Hassane Ould Brahim in October 2012 in the Dar Naïm prison, and on their follow-up.

Amnesties and impunity

19. The Committee is concerned about the fact that Act No. 92-93 of 14 June 1993 provides a blanket amnesty to members of the Armed Forces and security forces. In particular, the Committee remains concerned about the approach adopted by the State party (the nature of which was confirmed by its delegation) in dealing with the demands of victims and their dependants who, rather than availing themselves of the compensation provided for in that law, prefer to bring civil indemnification proceedings, which the State party considers to be ill-advised (arts. 2, 12, 13 and 14).

With reference to its general comment No. 3 (2012) (CAT/C/GC/3), the Committee recommends that the State party:

(a) Amend the Amnesty Act (Act No. 92-93) and take all necessary steps to combat impunity with respect to acts of torture by, inter alia, making effective remedies available to victims and their dependants;

(b) Ensure that victims and their relatives who seek reparation are protected from reprisals and intimidation.

Redress and rehabilitation for victims of torture

20. The Committee is concerned about the fact that existing legislation does not contain any guarantees of redress for the harm caused to victims of torture. The Committee is further concerned that some forms of redress of religious origin, such as *qisas*, which is based on the principle of retaliation and is provided for in articles 285 and 286 of the Criminal Code, constitute acts of torture or cruel, inhuman or degrading treatment (arts. 2, 12, 13, 14 and 16).

The State party should:

(a) Adopt legislative and administrative measures to ensure that victims of torture and ill-treatment obtain redress, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, and introduce these into its body of criminal law;

(b) Amend the Criminal Code to remove references to *qisas* penalties. In this regard, the Committee draws the attention of the State party to its recently adopted general comment No. 3 (2012) on article 14 of the Convention, which explains and clarifies the content and scope of the obligations of States parties with regard to the full redress to which victims of torture are entitled.

Application of the prohibition of slavery-like practices

21. While noting that the State party's delegation has informed the Committee that the judicial authorities of the State party are currently considering 15 cases involving allegations of slavery that would fall under Act No. 2007-048 of 3 September 2007, which classifies slavery as a criminal offence and provides for the suppression of slavery-like practices, the Committee regrets that no statistics are available on the nature and scale of

slavery in the State party. The Committee is also concerned by the fact that the courts treat slavery cases as matters for ordinary law, particularly as labour or property rights issues, rather than as slavery offences. The crime of slavery is thus rendered meaningless in legal terms. Moreover, the Act of 2007 does not cover the discrimination intrinsic to slavery. The Committee echoes the concern of the Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, who noted that the Act could be applied only in the course of the criminal prosecution of slave-owners and therefore relied entirely on the police and the public prosecution service for its enforcement, there being no provision for victims to sue to obtain redress (arts. 1, 2 and 16).

The State party should:

- (a) Include a provision in the Criminal Code that defines and specifically criminalizes racial or ethnic discrimination, including slavery-like practices, and that sets out penalties commensurate with the gravity of the acts in question;**
- (b) Include a definition in Act No. 2007-048 of 3 September 2007 that covers all forms of slavery, as well as provisions concerning redress and rehabilitation measures for former slaves;**
- (c) Amend Act No. 2007-048 of 3 September 2007 so that victims of slavery or related practices may cause criminal proceedings to be initiated by suing for damages;**
- (d) Provide specific training modules in order to raise the awareness of judges and members of the legal profession as a whole about racial discrimination and about the fact that, in accordance with international standards, it is a prosecutable offence;**
- (e) Develop a comprehensive national strategy for combating both traditional and modern forms of slavery and discrimination, which include the practices of early and forced marriage, servitude, forced child labour, human trafficking and the exploitation of domestic workers, in line with the commitment made by the State party during the universal periodic review in November 2010.**

Conditions of detention

22. While noting the efforts made by the State party to renovate its prisons, the Committee remains concerned by reports that conditions in all its detention centres are below international standards, in particular because of a lack of hygiene, ventilation, lighting, bedding, food and medical care. The Committee is also concerned by reports it has received that in many cases prisoners are sick and that about 20 died in 2010, including 14 at the Dar Naïm Prison. Also, while taking note of the efforts made by the State party to reduce overcrowding at the Dar Naïm prison, the Committee is concerned that some of the inmates have been transferred to the Aleg Prison, where prisoners allegedly held protests in January 2013 about conditions of detention there (arts. 2, 11 and 16).

The State party should:

- (a) Redouble its efforts to bring living conditions in all prisons into line with international standards and with the Standard Minimum Rules for the Treatment of Prisoners (United Nations Economic and Social Council, resolutions 663 C (XXIV) and 2076 (LXII)) and increase the funding allocated for that purpose;**
- (b) Ensure all prisoners have access to drinking water, at least two meals per day, hygiene and basic necessities; make sure there is sufficient natural and artificial light and ventilation in cells; and provide medical and psychosocial care for prisoners with a view to preventing deaths in detention;**

(c) Reduce prison overcrowding by making greater use of non-custodial measures, in line with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);

(d) Establish a central register of all prisoners in the country in which it is indicated whether they are remand prisoners or sentenced prisoners, the offence in question, the date on which they were taken into custody, the place where they are being held, and their age and gender;

(e) Ensure that prisoners have genuine access to a means of filing a complaint with an independent body regarding their conditions of detention and/or ill-treatment and that impartial, independent investigations into such complaints are promptly carried out;

(f) Carry out formal investigations into deaths in detention and their causes, provide the Committee with statistics and other information on the preventive measures taken by the prison authorities in the next periodic report, and take measures to reduce violence among prisoners;

(g) Continue to ensure that the National Human Rights Commission and other human rights organizations have unhindered access to all places of detention, which includes the ability to make unannounced visits and to hold private interviews with detainees.

Human trafficking and violence against women

23. The Committee takes note of the numerous legislative, institutional and awareness-raising measures adopted by the State party to prevent and combat human trafficking, including the adoption of Act No. 2003-025 of 17 July 2003 on the suppression of trafficking in persons. However, it remains concerned at the lack of information on: the penalties for rape; the number of convictions for rape; the prevalence of domestic violence and the way that cases are handled; and the extent of human trafficking (arts. 2, 12, 13, 14 and 16).

The State party should:

(a) Ensure the effective enforcement, in full compliance with the Convention, of existing anti-trafficking laws;

(b) Conduct a study to determine the actual extent of human trafficking in the State party and its causes;

(c) Put an end to impunity by conducting formal investigations into allegations of rape, trafficking and domestic violence, prosecuting the perpetrators and imposing appropriate punishments on them;

(d) Offer victims protection, sufficient compensation and rehabilitation services, as necessary, and step up its awareness campaigns;

(e) Provide appropriate training to investigators and other personnel who come into contact with trafficking victims, including immigration service staff, and provide sufficient resources to the shelters set up for victims.

Female genital mutilation

24. While taking note of the institutional and awareness-raising measures adopted by the State party, the Committee remains deeply concerned by the fact that the practice of female genital mutilation is not penalized. It is also concerned by the lack of detailed information on the complaints that have been filed and the investigations conducted into those

complaints, on the legal proceedings brought against those responsible for this practice and on the penalties imposed upon them (arts. 2, 12, 13, 14 and 16).

In line with the commitment that it made during the universal periodic review in November 2010, the State party should urgently adopt a law prohibiting female genital mutilation. The State party should also make it easier for victims to file complaints and should carry out inquiries, prosecute the perpetrators, impose appropriate penalties on them and provide victims with suitable redress, including compensation or rehabilitation. It should, furthermore, expand the scope of campaigns to raise awareness, particularly among families, of the harmful effects of this practice.

Corporal punishment

25. Notwithstanding the adoption of Ordinance No. 2005-015 of 5 December 2005 on the judicial protection of children, which establishes prison sentences for persons who commit acts of torture or acts of barbarity against children, the Committee is concerned that corporal punishment of children is not prohibited by law and seems to be even considered a suitable and effective method of education (art. 16).

The State party should:

(a) **Amend its criminal legislation, including Ordinance No. 2005-015 on the judicial protection of children, to prohibit and explicitly penalize any form of corporal punishment of children in all places and contexts, including within the family, and enforce the principle of education without violence in accordance with article 28, paragraph 2, of the Convention on the Rights of the Child;**

(b) **Carry out programmes involving children, families, communities and religious leaders to educate, sensitize and mobilize the general public about the harmful effects of corporal punishment on the physical and psychological development of the person.**

Data collection

26. The Committee regrets the lack of comprehensive disaggregated data on complaints, investigations, prosecutions and convictions related to acts of torture and ill-treatment attributed to security service agents, including gendarmes, police officers and prison staff. There are also insufficient statistics on trafficking in persons and violence against women, including domestic violence and female genital mutilation (arts. 2, 11, 12, 13, 14 and 16).

The State party should establish an independent body to generate and process statistical data, disaggregated by the age and gender of victims, for use in monitoring the implementation of the Convention at the national level. Such statistics should, in particular, cover complaints, investigations, prosecutions and convictions related to acts of torture and ill-treatment attributed to security service agents, including gendarmes, police officers and prison staff, as well as deaths in detention. Statistics should also be compiled and made available on trafficking in persons and violence against women and female genital mutilation, as well as on the means of redress, particularly compensation and rehabilitation services, available to victims.

Other matters

27. The Committee encourages the State party to consider making the declaration provided for under article 22 of the Convention, thereby recognizing the competence of the Committee to receive and consider individual communications. It also invites the State

party to withdraw its reservations to articles 20 (confidential inquiries) and 30 (dispute settlement) of the Convention.

28. The Committee invites the State party to consider ratifying the core United Nations human rights instruments to which it is not yet a party, namely:

(a) The Optional Protocol to the International Covenant on Civil and Political Rights;

(b) The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

(c) The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;

(d) The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;

(e) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

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

30. The Committee requests the State party to provide information on the follow-up given to the recommendations formulated in paragraphs 10 (c), 22 (a) and (b), and 18 (a) of this document by 31 May 2014. These recommendations are as follows: (1) repeal the provision under which persons may be held in police custody for up to three consecutive periods of 15 days in connection with terrorist acts or threats to national security and strengthen legal safeguards for detainees; (2) improve the conditions of detention in all of the State party's prisons; and (3) prosecute and punish perpetrators of acts of torture and ill-treatment.

31. The Committee invites the State party to submit its second periodic report by 31 May 2017. The Committee also invites the State party to agree, by 31 May 2014, to submit that report under the optional procedure whereby the Committee will send the State party a list of issues prior to submission of its periodic report. The replies of the State party to the list of issues would constitute its second periodic report under article 19 of the Convention.
