



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

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## Committee against Torture

### Concluding observations on the combined fifth and sixth periodic reports of Mexico as adopted by the Committee at its forty-ninth session (29 October–23 November 2012)

1. The Committee against Torture considered the combined fifth and sixth periodic reports of Mexico (CAT/C/MEX/5-6) at its 1098th and 1101st meetings (CAT/C/SR.1098 and 1101), held on 31 October and 1 November 2012, and adopted the following conclusions and recommendations at its 1118th, 1120th and 1121st meetings (CAT/C/SR.1119, 1120 and 1121), held on 14 and 15 November 2012.

#### A. Introduction

2. The Committee welcomes the fact that Mexico has submitted its combined fifth and sixth periodic reports in response to the list of issues prior to reporting (CAT/C/MEX/Q/5-6). It is grateful that the State party agreed to submit its periodic report pursuant to the new optional reporting procedure because this paves the way for closer cooperation between the State party and the Committee and for a more focused consideration of the report and dialogue with the delegation.

3. The Committee appreciates the open and constructive dialogue held with the State party's delegation and the information provided during its consideration of the report.

#### B. Positive aspects

4. The Committee notes with satisfaction that, since the consideration of the State party's fourth periodic report, it has ratified the following international instruments:

(a) The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (September 2007);

(b) The Convention on the Rights of Persons with Disabilities and its Optional Protocol (December 2007);

(c) The International Convention for the Protection of All Persons from Enforced Disappearance (March 2008).

5. The Committee welcomes the fact that in May 2010 the State party made public the report on the September 2008 visit of the Subcommittee on Prevention of Torture to Mexico (CAT/OP/MEX/1), together with the Mexican authorities' response to the Subcommittee's recommendations and questions (CAT/OP/MEX/1/Add.1).

6. The Committee takes note of the steps taken by the State party to modify its legislation, in particular:

(a) The adoption of the General Act on Women's Access to a Life Free from Violence in 2007 and of its implementing regulations in 2008;

(b) The constitutional reform of the criminal justice and public security system of 18 June 2008, which is designed to introduce a new, adversarial criminal justice system;

(c) The promulgation of the Refugees and Supplementary Protection Act and the Migration Act in 2011;

(d) The constitutional reform dealing with human rights of 10 June 2011, which accords the status of a constitutional right to all human rights guaranteed under international treaties ratified by the State party;

(e) The promulgation of the General Act for the Protection, Punishment and Eradication of Human Trafficking Offences and for Victim Protection and Assistance in 2012;

(f) The promulgation of the Human Rights Defenders and Journalists Protection Act in 2012.

7. The Committee also applauds the steps taken by the State party to modify its policies and procedures in order to afford greater protection for human rights and to apply the Convention. In that respect, it takes note, in particular, of the following measures:

(a) The adoption of the National Human Rights Programme for 2008–2012;

(b) The adoption of the Prison Administration Strategy for 2008–2012;

(c) The approval of the National Programme for the Prevention and Punishment of Human Trafficking for 2010–2012.

## **C. Principal subjects of concern and recommendations**

### **Definition and crime of torture**

8. The Committee notes that the Federal Act for the Prevention and Punishment of Torture still does not fully reflect the definition of torture set forth in article 1 of the Convention. It notes that, in most cases, the definition of the crime of torture and the punishments established for it at the State level do not fully conform to articles 1 and 4 of the Convention. In the State of Guerrero, the definition of the offence of torture is still set forth in a law that is not part of the Criminal Code, as observed by this Committee in its preceding concluding observations (CAT/C/MEX/CO/4). The Committee does, however, also take note of the existence of four proposed amendments to the Criminal Code concerning the non-applicability of statutory limitations to a number of serious crimes, including torture (arts. 1 and 4).

**In the light of its preceding concluding observations, the Committee urges the State party to:**

(a) **Amend the Federal Act for the Prevention and Punishment of Torture so that the definition of torture which figures in article 3 of that law encompasses all the elements that are contained in article 1 of the Convention, including: (i) acts of torture committed by a third person at the instigation of or with the consent or acquiescence of a public official; and (ii) acts of torture committed for any reason based on discrimination of any kind;**

- (b) **Ensure that, at the state level, the definition of the offence of torture conforms to the definition set forth in article 1 of the Convention and that it is punishable by appropriate penalties which take into account its grave nature, as established in article 4 of the Convention;**
- (c) **Incorporate the crime of torture into the Criminal Code of the State of Guerrero;**
- (d) **Ensure that the crime of torture is not subject to a statute of limitations.**

#### **Fundamental legal safeguards**

9. While taking note of the publication in April 2012 of protocols on the use of force, the preservation of evidence and the appearance before a judge of persons brought into custody, the Committee is concerned by reports that, in practice, the State party does not make sure that all persons who are being held in custody have the benefit of all fundamental legal safeguards from the outset of their detention. The Committee is concerned by reports that detainees are often denied prompt access to a lawyer and an independent medical examination, the right to notify a family member of their arrest and the right to be brought before a judge without delay. The Committee regrets that it has not been furnished with official information regarding any disciplinary action or criminal proceedings relating to cases of unjustified delays in handing persons over to the Prosecution Service following their arrest (art. 2).

**The State party should adopt effective measures without delay to ensure that, from the moment that any person is deprived of his or her liberty, he or she has the benefit, in practice, of all fundamental legal safeguards, including those mentioned in paragraphs 13 and 14 of the Committee's general comment No. 2 on the implementation of article 2 by States parties (2008).**

#### **Allegations of torture and arbitrary detention**

10. The Committee is concerned by reports of an alarming increase in the use of torture during the interrogation of persons who have been arbitrarily detained by members of the armed forces or State security agencies in the course of joint operations to combat organized crime. It is gravely concerned by consistent reports that, before detainees are handed over to the Prosecution Service, they are tortured and mistreated in order to force them to confess and make self-incriminating statements which are later used to cover up irregularities committed during their detention (arts. 2, 11 and 15).

#### **The State party should:**

- (a) **Ensure that, when persons are arrested, they are promptly brought before a judge or handed over to the Prosecution Service in accordance with article 16 of the Constitution of Mexico and that allegations concerning the perpetration of torture or ill-treatment by members of the armed forces or State security agencies are investigated and that those responsible are punished;**
- (b) **Restrict the use of arrest in *flagrante delicto* to the exact moment when an offence is being committed and do away with the use of arrest in *quasi-flagrante delicto*;**
- (c) **Ensure that members of security forces and their vehicles are properly identified;**
- (d) **Ensure that all suspects in a criminal investigation are registered without delay in the appropriate custody logbook, that the entries in custody logbooks are**

closely monitored and that consideration is given to the establishment of a central register for all persons held in official custody;

(e) **Adopt the necessary measures to ensure that all persons deprived of their liberty have genuine access to an immediate remedy for challenging the legality of their detention.**

***Arraigo penal (pre-charge detention)***

11. The Committee notes with concern that, the recommendations that it made in its previous concluding observations notwithstanding, the State party accorded constitutional status to the procedure of *arraigo* in 2008. Provision for this procedure is also made in the laws of some states, such as the State of Jalisco. The Committee is concerned by documented reports of torture and ill-treatment of persons deprived of their liberty under *arraigo* orders, in some cases in military facilities. Despite the delegation's assurances that fundamental safeguards are complied with in these cases, the Committee notes with concern that recommendation No. 2/2011 of the Human Rights Commission of the Federal District indicates otherwise, inasmuch as, in that recommendation, the Commission decries the undue restriction of fundamental rights, failures to monitor persons being held in *arraigo* detention, the lack of effective oversight of the Prosecution Service and the absence of criteria for ensuring that the principle of proportionality is respected when determining the duration of *arraigo* detention. The Committee observes that the remedy of *amparo* is ineffective in cases of *arraigo* detention. It also observes that *arraigo* detention has been conducive to the admission into evidence of confessions presumably obtained under torture (arts. 2 and 11).

**In the light of article 2, paragraph 2, of the Convention, the Committee reiterates its recommendation that the State party eliminate the procedure of *arraigo* (pre-charge detention) from its legislation and its practices at both the federal and the state levels.**

**Enforced disappearance**

12. The Committee is concerned by the increasing number of enforced disappearances that are apparently being committed by public authorities or by criminal or private groups acting with the direct or indirect support of Government officials in such states as Coahuila, Guerrero, Chihuahua, Nuevo León and Tamaulipas, as reported by the Working Group on Enforced or Involuntary Disappearances (A/HRC/19/58/Add.2, paras. 16 to 31), (art. 2).

**The Committee urges the State party to continue to act upon the recommendations made by the Working Group and, in particular, to:**

- (a) **Adopt a general law on enforced disappearance;**
- (b) **Ensure that the states and the Federal District establish legal definitions of the offence of enforced disappearance and set penalties for that offence which are in line with the corresponding international standards;**
- (c) **Ensure that enforced disappearances are investigated promptly, thoroughly and effectively, that suspected perpetrators are tried and that the penalties imposed upon the guilty parties are commensurate with the gravity of the offence;**
- (d) **Ensure that all victims who have suffered harm as the result of an enforced disappearance have access to information on the fate of the disappeared person and to reparation, which includes the right to just and appropriate compensation;**
- (e) **Adopt the necessary measures to resolve the cases pending before the Working Group on Enforced or Involuntary Disappearances.**

### **Impunity and violence against women**

13. The Committee is concerned by reports that women continue to be the victims of gender-based murders and disappearances, especially in the States of Chihuahua, Jalisco, México and Nuevo León. While noting that major strides have been made in terms of the establishment of legal and institutional means of combating this phenomenon and other forms of violence against women, including femicide, the Committee is concerned by indications that the new legal framework is not being fully applied by many states. The Committee also takes note with regret of the persistence of impunity for serious acts of violence against women, including those committed in 2006 in San Salvador Atenco, as recently pointed out by the Committee on the Elimination of Discrimination against Women (CEDAW/C/MEX/CO/7-8, paras. 18 and 19) (arts. 2, 12, 13 and 16).

**The Committee urges the State party to redouble its efforts to prevent and combat violence against women, including gender-based murders and disappearances, to punish the perpetrators of such violence and to adopt all necessary measures to give full effect to the decisions of the Inter-American Court of Human Rights in this connection, including its judgement of 16 November 2009 in the case of *González et al. ("Cotton Field") v. Mexico*.**

### **Human rights defenders and journalists**

14. While taking note of the recent promulgation of the Human Rights Defenders and Journalists Protection Act, the Committee remains seriously concerned at the large number of murders, disappearances and acts of intimidation and harassment committed against such persons. It is also concerned by reports of widespread impunity for these crimes and notes that, while most of them are attributed to criminal organizations, in some cases there have been indications that members of security forces may be implicated. In light of this situation, the Committee regrets that the State party has not provided it with specific information on the outcomes of investigations and criminal proceedings that are now under way (arts. 2, 12, 13 and 16).

#### **The Committee urges the State party to:**

**(a) Take the necessary steps to guarantee the safety and physical integrity of human rights defenders and journalists by protecting them against any acts of intimidation or violence that they may face in the course of their activities;**

**(b) Expedite the establishment of the protective mechanism provided for in the Human Rights Defenders and Journalists Protection Act;**

**(c) Take steps to carry out prompt, thorough and effective investigations into any and all acts of intimidation or violence directed at human rights defenders and journalists and to prosecute those responsible and punish them in a manner that is commensurate with the gravity of their acts.**

### **Confessions obtained under duress**

15. While taking note of constitutional guarantees relating to the inadmissibility of evidence obtained in a manner that violates fundamental rights, the Committee regrets that some courts continue to accept confessions that have apparently been obtained under duress or through torture by invoking the principle of "procedural immediacy". The Committee considers the case of Israel Arzate Meléndez to be an emblematic illustration of the persistence of such practices even in jurisdictions in which the new criminal justice system is already in place. The Committee is closely following this case, which is now before the Supreme Court of Mexico (arts. 2, 12, 13, 15 and 16).

The State party should adopt effective measures without delay to:

(a) Ensure that confessions obtained through torture or ill-treatment are not used as evidence in any proceedings whatsoever, pursuant to article 15 of the Convention;

(b) Ensure that an independent medical examination is performed whenever a suspect requests the court to order such an examination and that a prompt and impartial investigation is undertaken whenever there are reasonable grounds for believing that an act of torture has been committed, particularly when the only evidence against the defendant is a confession. In such cases, the burden of proof must not be borne by the alleged victim;

(c) Ensure that cases in which persons have been found guilty solely on the basis of confessions are reviewed, since many of those convictions may have been based on evidence obtained through torture or ill-treatment, and ensure that, when appropriate, prompt and impartial investigations into such cases are carried out and suitable corrective measures are taken;

(d) Continue to implement training programmes on the new criminal justice system for persons involved in the administration of justice.

#### **Impunity for acts of torture and ill-treatment**

16. The Committee takes note with concern of information provided by the State party which indicates that verdicts have been handed down in only 6 trials for the offence of torture since 2005, in addition to 143 trials for the offence of abuse of authority, 60 for misuse of public office and 305 for unauthorized exercise of public authority. The Committee regrets that the information provided to it does not include disaggregated statistics for the reporting period on the number of complaints filed with the relevant bodies or specific data on the penalties imposed or on the compensation actually granted. The Committee is also concerned by reports that document allegations of complicity between public prosecutors and police investigators. It is also concerned by reports that public prosecutors and, on occasion, judges themselves disregard defendants' claims that they have been tortured or classify the acts in question as constituting less serious offences. Finally, the Committee regrets the lack of specificity of the information provided to it concerning the action taken to give effect to the recommendations made by the National Human Rights Commission (arts. 12 and 13).

The Committee urges the State party to:

(a) Reinforce the monitoring and oversight of the State party's security forces and agencies by, in particular, setting up an effective, independent and accessible system for receiving complaints and for investigating reports of torture or ill-treatment promptly, thoroughly and impartially. Such investigations should be carried out by an independent agency that is not subordinate to the executive branch. Any alleged corruption in this connection should be immediately investigated and, if grounds for it are found to exist, those responsible should be prosecuted;

(b) Ensure that complaints are made in writing and are properly investigated and that alleged victims are examined immediately by a forensic physician;

(c) Initiate investigations ex officio whenever there are reasonable grounds for believing that an act of torture has been committed;

(d) Ensure that, in cases of alleged torture or ill-treatment, suspects are suspended from duty immediately and remain suspended for the duration of the

investigation, especially if there is a risk that they might otherwise repeat the alleged acts or obstruct the investigation;

(e) **Prosecute the alleged perpetrators of acts of torture or ill-treatment and, if they are found guilty, ensure that their sentences are commensurate with the gravity of their acts;**

(f) **Create a centralized register of reports of torture and ill-treatment.**

#### **Application of the Istanbul Protocol in investigations of torture and ill-treatment**

17. The Committee applauds the State party's efforts to increase the training it provides regarding the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol) and to expand the scope of its practical application by having the Office of the Attorney General of Mexico and a number of the offices of attorneys general at the state level prepare medical/psychological reports. However, it notes with concern that the application of the Protocol is still infrequent and in many cases is the exception to the rule. While taking note of the State party's intention to enhance the technical autonomy of official medical experts by establishing a forensic medical service within the Attorney General's Office, the Committee remains concerned by information which indicates that official experts frequently fail to mention or attach little importance to physical and psychological signs of torture or ill-treatment in their reports. The Committee is also concerned by reports that members of security forces have been present during medical examinations (arts. 12 and 13).

**The State party should adopt all measures necessary to ensure that all persons taken into custody undergo thorough, impartial medical examinations. In order to ensure the quality and accuracy of forensic evaluations, the State party should:**

(a) **Ensure that examinations are conducted in such a way as to uphold the principles of confidentiality and privacy;**

(b) **Ensure that medical experts use forms that are in line with annex IV of the Istanbul Protocol when preparing their evaluations and that they include their interpretation of their findings;**

(c) **Set up a system that permits official medical experts to anonymously request that a more thorough medical examination be performed;**

(d) **Adopt the legislative amendments required in order to accord full evidentiary value to the reports of independent medical experts so as to place them on an equal footing with the reports of official experts designated by attorneys generals' offices;**

(e) **Ensure that all persons who are arrested and ask to be examined by an independent physician or an official expert receive copies of their request and the medical report or expert opinion (see the Istanbul Protocol, annex I, paragraph 6 (c)).**

#### **Reform of the military justice system**

18. The Committee takes note of the information provided by the State party regarding the judgement handed down by the Supreme Court on 21 August 2012 in the case of Bonfilio Rubio Villegas, in which it declares, in line with the jurisprudence established by four judgements of the Inter-American Court of Human Rights, that a portion of article 57 of the Code of Military Justice is unconstitutional, thereby establishing that the ordinary courts have sole jurisdiction over cases involving the alleged violation of human rights by military personnel. The Committee regrets that the proposed amendment of the Code of

Military Justice has not yet been passed. In addition, while taking note of the fact that military courts have ceded jurisdiction to civilian courts in respect of 231 preliminary investigations and 66 criminal cases, the Committee is troubled by the fact that, between 2007 and June 2011, the Office of the Military Attorney General opened 3,671 investigations into cases involving violations of civilians' human rights, with a total of 15 soldiers being convicted of such violations (art. 2, para. 1).

**In line with its earlier recommendations in this regard, the Committee urges the State party to amend its Code of Military Justice, in accordance with the judgements handed down by the Inter-American Court of Human Rights and the Supreme Court of Mexico, to preclude the possibility that military courts could have jurisdiction over cases involving human rights violations and offences against civilians in which military personnel are involved.**

#### **Conditions of detention**

19. While taking note of the information provided by the State party on the effort to reform the prison system and the recent activation of a fund to provide the financing needed to improve prison facilities at the state level, the Committee remains concerned by reports of overcrowding, violence between inmates and inmate self-rule in Mexican prisons and of extortion of inmates' family members. The Committee regrets the fact that it does not have accurate data on the size of the prison population in the various places of detention or up-to-date information on action taken in follow-up to the recommendations of the Subcommittee on Prevention of Torture or to those made by the National Human Rights Commission in its capacity as the national mechanism for the prevention of torture. It also regrets that data is lacking on complaints lodged by inmates or their families and on the outcome of the corresponding investigations (arts. 11, 12, 13 and 16).

**The Committee recommends that the State party:**

**(a) Step up its efforts to alleviate overcrowding in prisons and other places of detention by, in particular, making use of non-custodial penalties as provided for in the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);**

**(b) Continue to improve the infrastructure of prisons and other places of detention, including juvenile treatment centres, and ensure that conditions of detention in the State party are in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);**

**(c) Develop strategies for reducing violence among inmates and take the necessary steps to put a stop to inmate self-rule in prisons and to the extortion of inmates' family members. The Committee requests the State party to forward to it information on the results of the application of the Prison Administration Strategy for 2008–2012;**

**(d) Take the necessary steps to bolster the work being done by the National Human Rights Commission as the national mechanism for the prevention of torture by ensuring that its recommendations and those made by the Subcommittee on Prevention of Torture are given full effect.**

#### **Criminal juvenile justice system**

20. The Committee is concerned that the Federal Justice for Adolescents Act is still awaiting passage, since this means that a legal and institutional gap continues to exist in the State party. The Committee regrets the lack of precise statistics on the number of minors

residing in treatment centres and on those centres' occupation rates. It also regrets that information is lacking on the number of minors arrested in the course of federal operations to combat organized crime and the status of those who have committed federal offences (art. 11).

**The Committee urges the State party to:**

- (a) Approve the Federal Justice for Adolescents Act;**
- (b) Carry forward the establishment of a comprehensive juvenile justice system at all levels in cooperation, inter alia, with the United Nations Children's Fund (UNICEF);**
- (c) Use measures involving the deprivation of liberty only as a last resort and for the least amount of time possible and review such measures regularly with a view to their discontinuation;**
- (d) Compile statistics, disaggregated by sex, age and ethnic origin or nationality, on the number of minors, both at the federal and the state levels, who have been arrested, the reasons for their arrest and the duration of their detention.**

**Administrative detention of asylum seekers and undocumented migrants**

21. The Committee is concerned by reports of torture and disappearances of migrants present in the territory of the State party. It is also concerned by reports of ill-treatment, overcrowding and substandard conditions of detention in many of the State party's migrant holding centres, where there is a lack of hygiene and insufficient medical care and where men and women are not always held in separate facilities at all times. The Committee notes that effective mechanisms are not in place for the identification and referral of trafficking victims who may be held in these centres. While it applauds the recent promulgation of the Refugees and Supplementary Protection Act and the Migration Act, the Committee regrets that it has not been furnished with detailed statistics on the number of refugees, asylum seekers and other non-citizens in the State party. It also regrets that the data that have been provided on applications for asylum do not correspond to the reporting period and do not include information on the number of persons who have been returned, extradited or expelled (arts. 2, 3, 11 and 16).

**The State party should:**

- (a) Ensure that thorough investigations are carried out into cases involving acts of torture, including disappearances and ill-treatment of refugees, asylum seekers and other foreigners housed in the territory of the State party;**
- (b) Improve conditions of detention in migrant holding centres.**

**The Committee also recommends that, in order to fulfil its obligations under article 3 of the Convention, the State party should:**

- (a) Adopt, without delay, effective measures to ensure that all foreigners within its jurisdiction are treated fairly and have genuine access to legal assistance at all stages of the corresponding procedures;**
- (b) Expand upon existing identification and referral mechanisms, in cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR), in order to provide the requisite protection and assistance and to optimize inter-agency coordination;**
- (c) Set up an effective system for the compilation of data on the status of refugees, asylum seekers and stateless persons present in its territory;**

**(d) Ratify the Convention on the Reduction of Statelessness and consider the possibility of withdrawing its reservations to articles 17, 26, 31, paragraph 2, and 32 of the Convention relating to the Status of Refugees and to articles 17, 31 and 32 of the Convention relating to the Status of Stateless Persons.**

#### **Psychiatric institutions**

22. The Committee is concerned by reports of the ill-treatment that is meted out to persons housed in psychiatric institutions, and it regrets that it does not have information on the outcome of the corresponding investigations. It is also concerned by reports that describe the conditions in these centres in terms of both maintenance and hygiene as being unsatisfactory. Finally, the Committee has received no information on any protocols governing the use of methods of restraint in psychiatric institutions (arts. 2, 11 and 16).

#### **The State party should:**

**(a) Ensure that any and all reports of ill-treatment of persons with disabilities who are housed in psychiatric institutions are investigated promptly and impartially and that the alleged perpetrators are brought to trial;**

**(b) Increase the resources made available for improvements in the relevant facilities in order to meet the patients' basic needs with regard to medical care and good hygiene;**

**(c) Ensure that independent oversight bodies conduct visits to these centres on a regular basis;**

**(d) Maximize its controls on the use of methods of restraint based on pre-established procedural protocols;**

**(e) Promote the introduction of alternative and, in particular, community-based forms of treatment.**

#### **Universal jurisdiction**

23. While taking note of article 6 of the Federal Criminal Code, the Committee observes that there is no provision in any of the State party's laws that expressly establishes its universal jurisdiction over acts of torture (arts. 5, 6, 7 and 8).

**The State party should introduce provisions into its criminal legislation that establish its jurisdiction over acts of torture in accordance with article 5 of the Convention, including provisions under which the State party may prosecute, in accordance with article 7, foreign nationals who have committed acts of torture outside the State party's territory but who are present in its territory and have not been extradited.**

#### **Reparation**

24. The Committee welcomes the introduction of a provision into the Constitution that expressly recognizes the State's duty to redress human rights violations, but regrets that a general law on the subject is not yet in place. It is concerned by the fact that reparation is rarely made to victims of torture or ill-treatment and, in this connection, is disturbed by reports that — the recommendations made by the National Human Rights Commission to the various authorities notwithstanding — the authorities proceed to pay compensation directly to victims, thereby precluding the exercise by those victims of their right to seek redress in court (art. 14).

**The State party should step up its efforts to make reparation to victims of torture and ill-treatment by, inter alia, providing fair and adequate compensation and affording the means for as full a rehabilitation as possible. It therefore urges the State party to**

**complete its development of the legislative framework provided for in the Constitution by adopting a law that is in keeping with international standards, including the Convention.**

**The Committee draws the State party's attention to its recently adopted general comment No. 3 (2012) on the implementation of article 14 by States parties (CAT/C/GC/3), in which it elaborates upon the nature and scope of States parties' obligations to provide full redress to victims of torture.**

### **Training**

25. The Committee takes note of the information furnished by the State party on the training provided to civil servants on the use of the Medical/Psychological Certificate of Possible Torture or Ill-Treatment, which is based on the Istanbul Protocol. It regrets, however, that little information has been supplied on the content of the training programmes on human rights and the prohibition of torture that are administered by the Ministry of Public Security, Ministry of Defence and Ministry of the Navy. It also notes that the State party has not submitted information on how much of an impact these training activities and programmes have had in terms of a reduction in the number of acts of torture or ill-treatment (art. 10).

### **The State party should:**

**(a) Continue to provide mandatory training programmes to ensure that all public servants are well versed in the provisions of the Convention and are fully aware that violations will not be tolerated and will be investigated and that those responsible will be prosecuted;**

**(b) Develop and apply a methodology for assessing how effective its training programmes are in reducing the number of cases of torture and ill-treatment.**

26. The State party is encouraged to ensure that the report that it submitted to the Committee and these concluding observations are widely disseminated, especially in the languages of the indigenous peoples of the State party, through official media and non-governmental organizations.

27. The Committee requests the State party to provide, by 24 November 2013 at the latest, information on its follow-up to the recommendations set forth in paragraphs 9, 10 (d) and 16 (a) of this document, namely: (a) to ensure or strengthen fundamental legal safeguards for persons held in custody; (b) to conduct prompt, impartial, effective investigations; and (c) to prosecute persons suspected of committing acts of torture or ill-treatment and punishing those found guilty of doing so. The Committee also requests that it be provided with follow-up information on the steps taken to protect human rights defenders and journalists as specified in paragraph 14 (b) above.

28. The State party is invited to submit its seventh periodic report by 23 November 2016. To that end, and in view of the fact that the State party has agreed to submit its report to the Committee under the new optional reporting procedure, the Committee will provide the State party with a list of issues well in advance of the date set for the submission of its next periodic report.