



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

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## Committee against Torture

### Concluding observations on the fourth periodic report of Uruguay\*

1. The Committee against Torture considered the fourth periodic report of Uruguay<sup>1</sup> at its 1899th and 1902nd meetings,<sup>2</sup> held on 5 and 6 May 2022, and adopted the present concluding observations at its 1909th meeting, held on 12 May 2022.

#### A. Introduction

2. The Committee expresses its appreciation to the State party for accepting the simplified reporting procedure and submitting its periodic report thereunder, as this improves the cooperation between the State party and the Committee and focuses the examination of the report and the dialogue with the delegation.

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

#### B. Positive aspects

4. The Committee notes with satisfaction that the State party has ratified or acceded to all of the core human rights instruments and their optional protocols.

5. The Committee welcomes the adoption of the following legislative measures by the State party in areas of relevance to the Convention:

(a) The introduction, under article 351 of the new Code of Criminal Procedure, in force since 2017, of the remedy of habeas corpus, "which protects persons deprived of liberty against torture and other cruel treatment or conditions of imprisonment which violate human dignity";

(b) The conversion of the 25th Criminal Prosecution Office of Montevideo into a Special Prosecutor's Office for Crimes against Humanity, by Act No. 19550 of 25 October 2017 and Decision No. 75/018 of 21 February 2018 of the Directorate General of the Attorney General's Office;

(c) The enactment of Act No. 19580 of 22 December 2017 on Gender-based Violence against Women;

(d) The enactment of Act No. 19643 of 20 July 2018 on Preventing and Combating Trafficking in Persons;

\* Adopted by the Committee at its seventy-third session (19 April–13 May 2022).

<sup>1</sup> CAT/C/URY/4.

<sup>2</sup> See CAT/C/SR.1899 and CAT/C/SR.1902.



(e) The enactment of Act No. 19682 of 26 October 2018 on the Recognition and Protection of Stateless Persons;

(f) The enactment of Act No. 19822 of 18 September 2019, which entrusts the National Human Rights Institution and Ombudsman's Office with the task of searching for persons detained and disappeared between 13 June 1968 and 28 February 1985;

(g) The establishment, by Act No. 19889 of 9 July 2020, of the Gender Policies Division within the Ministry of the Interior;

(h) The establishment of the Working Group for Truth and Justice by Council of Ministers Decree No. 131/015 of 19 May 2015;

(i) The development, in 2016, by several government institutions and civil organizations, of a protocol for the provision of assistance to children and adolescents whose guardians are deprived of their liberty;

(j) The conclusion, in April 2018, of an inter-institutional agreement between the Supreme Court, the Attorney General's Office, the Ministry of the Interior, the National Institute for the Social Inclusion of Adolescents and the United Nations Children's Fund to create a common system of indicators on the situation of adolescents in conflict with the law.

6. The Committee appreciates the fact that the State party maintains a standing invitation to the special procedure mechanisms of the Human Rights Council, which has allowed independent experts to carry out visits to the country during the reporting period.

## C. Principal subjects of concern and recommendations

### Pending follow-up issues from the previous reporting cycle

7. In its previous concluding observations,<sup>3</sup> the Committee requested the State party to furnish it with information on the action taken in response to the recommendations on allegations of torture and ill-treatment in prisons, on juvenile justice and on juvenile facilities.<sup>4</sup> The Committee appreciates the State party's replies in this regard, received on 16 June 2015 under the follow-up procedure.<sup>5</sup> In the light of the information provided, and referring to the letter dated 29 August 2016 from the Committee's rapporteur for follow-up to concluding observations addressed to the Permanent Representative of Uruguay to the United Nations Office and other international organizations in Geneva, the Committee considers that the recommendations set out in paragraphs 9, 12 and 13 of its previous concluding observations have been partially implemented.

### Definition and criminalization of torture

8. The Committee regrets that, despite its previous recommendations, the State party has still not codified torture as a specific offence in accordance with article 1 of the Convention. Although article 22 of Act No. 18026 refers to an offence of torture, the scope of application of this law is limited to war crimes, genocide and crimes against humanity. Furthermore, the definition of torture in Act No. 18026 does not meet the requirements of article 1 of the Convention, as it neither mentions the purpose of the act of torture – such as to obtain information, to intimidate or to coerce – nor provides for discrimination as a motive or reason for inflicting it. This gap in the national legal order with respect to the definition of torture seems incongruous with article 351 of the Code of Criminal Procedure of 2017, which introduces the remedy of habeas corpus to ensure that persons deprived of liberty are protected against torture. The Committee takes note of the arguments of the State party's delegation that the definition of offences is an exclusive power of the legislative branch and that, under the Constitution, international treaties do not take precedence over national laws. The Committee also takes note of the delegation's assertions that the lack of a specific offence of torture does not preclude the punishment of such acts under other criminal offences. At

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<sup>3</sup> CAT/C/URY/CO/3, para. 25.

<sup>4</sup> Ibid., paras. 9, 12 and 13, respectively.

<sup>5</sup> CAT/C/URY/CO/3/Add.1.

the same time, the Committee notes that the State party ratified the Convention without reservation. The Committee recalls that States parties have an obligation to define torture as an offence in accordance with articles 1 and 4 of the Convention and that serious discrepancies between the Convention's definition and that incorporated into domestic law create actual or potential loopholes for impunity<sup>6</sup> (arts. 1 and 4).

9. **The Committee reiterates its previous recommendations<sup>7</sup> and urges the State party to criminalize torture in accordance with article 1 of the Convention.**

#### **Fundamental legal safeguards**

10. While noting that, under the new Code of Criminal Procedure, no one may be questioned by police without authorization from the prosecutor and without the presence of a lawyer, the Committee is concerned that article 21 of Act No. 19889 of 9 July 2020, adopted under the fast-track legislative procedure, empowers the police to autonomously interrogate detained persons – formerly an exclusive power of the prosecutor – and that article 43 extends the deadline for informing the prosecutor of the police action from two to four hours. The Committee notes with concern reports of non-compliance with fundamental legal safeguards for persons deprived of their liberty. It therefore regrets that the State party has not provided information on measures taken to ensure compliance in practice with fundamental legal safeguards, in particular the rights of arrested or detained persons to be informed of their rights, to receive independent legal and medical assistance and to notify a relative or any other person of their choice of their arrest. The Committee also notes with concern the content of the report that the Association of Public Defenders of Uruguay submitted to the Supreme Court in 2021, which denounced many breaches of the legally established procedures, including cases of unlawful detention, warrantless searches, excessive use of force by the police at the time of arrest and subsequently in police stations, and psychological and even physical coercion to obtain statements from detainees (art. 2).

11. **The State party should adopt effective measures for ensuring that all detainees have the benefit, in law and in practice, of all fundamental safeguards from the very outset of their deprivation of liberty in accordance with international standards, in particular the right: (a) to receive legal assistance without delay; (b) to request and obtain immediate access to an independent physician – if possible, of the detainee's choosing – in addition to any medical examination that may be conducted at the authorities' behest; (c) to be informed of the reasons for their detention and the nature of the charges against them in a language that they understand; (d) to have their detention recorded in a register; (e) to promptly inform a family member or other person of their arrest; and (f) to be brought before a judge without delay. The State party should also ensure that the questioning of persons deprived of their liberty is video recorded, that those recordings are stored in a safe place under the control of oversight bodies and that the recordings are made available to investigators, detainees and their lawyers.**

#### **Use of force by law enforcement officers**

12. The Committee is concerned about the provisions of Act No. 19889 that expand the discretion of the police and military to use force. In particular, the Committee is concerned about article 1, which extends the application of the concept of legitimate self-defence to officials of the Ministry of the Interior and Ministry of Defence, empowering them to use weapons in a manner that is "rational, proportional and progressive, insofar as this is possible"; and article 49, which establishes a presumption of legitimacy of police conduct "absent evidence to the contrary". The Committee is troubled by the State party delegation's failure to answer its questions on whether there is any legal framework that limits this presumption and serves as a safeguard against arbitrariness. It takes note of the concerns expressed by some human rights defenders in the country regarding the provisions of Act No. 19889 that authorize retired police officers to carry firearms. The Committee finds no reason to justify the adoption of such measures, particularly in the light of investigations opened in

<sup>6</sup> General comment No. 2 (2007), paras. 8–9.

<sup>7</sup> CAT/C/URY/CO/3, para. 7.

recent years into the alleged sale of weapons by police officers to criminal gangs. Furthermore, the Committee is alarmed by provisions that allow for the possibility of police action based on subjective and arbitrary criteria relating to “apparently criminal” acts (art. 52 of the Act). The Committee is also concerned about reports of an official narrative of unconditional support for the actions of the police in response to allegations of abuse. In this regard, the Committee recalls that the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has received numerous allegations of acts of torture and ill-treatment committed by members of police units, including the High Intensity Operations Programme, “Los Halcones” and “Los Grecos”, against persons who are being arrested and/or being held in police stations.<sup>8</sup> The Committee is further concerned about reports of a significant rise in the number of deaths linked to the police between 2017 and 2019. In this regard, it notes the increased police presence in the country, with the establishment of new militarized police forces and programmes, and the enactment of Act No. 19677 of 26 October 2018, which authorizes the armed forces to operate in a 20-km-wide strip along the national border, save in populated centres – an area that represents one fifth of the national territory (arts. 2, 12–13 and 16).

**13. The State party should:**

(a) **Take legislative and other measures to ensure that all use of force, without exception, by law enforcement officials complies with the principles of reasonableness, necessity and proportionality;**

(b) **Ensure that prompt, impartial and effective investigations are conducted into all complaints of excessive use of force by law enforcement and security personnel, that suspected perpetrators are prosecuted and, if found guilty, are punished in a manner commensurate with the seriousness of their actions, and that victims receive adequate compensation;**

(c) **Increase efforts to systematically provide training to all law enforcement officers on the use of force, taking into account the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.**

**Prison conditions**

14. While noting the adoption of the “Dignity Plan” for the period 2020 to 2025 and measures aimed at eliminating overcrowding in prisons, such as the renovation and construction of detention units, the Committee remains concerned at reports of an increase in the prison population and the poor prison conditions described by the Subcommittee on Prevention of Torture following its visit to Uruguay in March 2018. In its visit report, the Subcommittee noted ventilation problems, lack of water, lack of personal hygiene articles, unsanitary conditions, faulty electrical wiring and lack of beds and mattresses.<sup>9</sup> The Subcommittee also reported the inadequate separation of prisoners; the limited provision of opportunities for recreation, physical exercise, education and work; and the transfer of prisoners to detention centres far from where their relatives lived. Moreover, as the State party’s delegation recognized, prisons are understaffed and there are significant shortcomings in the medical and health care provided to persons deprived of their liberty, including mental health and addiction treatment services. In this regard, the Committee is concerned about a reported reduction in the budget allocated to the prison system (arts. 11 and 16).

**15. The State party should:**

(a) **Continue to make progress in improving prison conditions and relieve overcrowding in prisons, particularly by applying non-custodial measures and ensuring that the established time limits for pretrial detention are respected. The Committee draws the State party’s attention to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the United Nations**

<sup>8</sup> CAT/OP/URY/1, paras. 23–24.

<sup>9</sup> CAT/OP/URY/1.

**Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);**

(b) **Take urgent measures to remedy the shortcomings in the general conditions in prisons, particularly in respect of the water supply in cells, the lack of beds, the heating and lighting problems and the poor state of the electrical wiring. In addition, physical exercise and other outdoor activities should be permitted and rehabilitation and psychosocial activities should be offered;**

(c) **Ensure the strict separation of untried prisoners from convicted prisoners in all places of deprivation of liberty;**

(d) **Complete the development of the national strategy for the reform of the prison system, envisaged under article 87 of Act No. 19889, and allocate the necessary budgetary resources for its implementation;**

(e) **Develop a national strategy to improve medical and health care for prisoners.**

**Medical examinations of persons deprived of their liberty**

16. The Committee is seriously concerned at reports of delays in the provision of medical care to detainees at the outset of deprivation of liberty, and reports of shortcomings in the medical examinations of detainees, particularly the lack of privacy during consultations and in respect of medical records, and failures to detect and document injuries. The Committee regrets that the State party has not explained the procedures that health professionals follow when recording injuries and notifying the courts of possible cases of torture and ill-treatment (arts. 2 and 11).

**17. The State party should:**

(a) **Ensure that persons in custody can request and have access to a medical examination by an independent physician from the outset of deprivation of liberty and that the confidentiality of medical examinations is respected;**

(b) **Ensure that all medical personnel receive specific training on the detection of cases of torture and ill-treatment in accordance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) and that suspected cases of torture and ill-treatment are brought to the attention of the competent judicial authorities.**

**Deaths in custody**

18. The Committee is concerned at the increase in the number of deaths recorded in prisons during the period under review, with a 79 per cent increase in 2021. In this regard, it notes the high number of deaths due to the lack of medical assistance and treatment for persons with mental health problems (arts. 2, 11 and 16).

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

(a) **Ensure that all deaths in custody are investigated in a prompt and impartial manner by an independent body, duly taking into account the Minnesota Protocol on the Investigation of Potentially Unlawful Death;**

(b) **Investigate any potential involvement of police and prison staff in the death of persons in custody and, where warranted, appropriately punish the guilty parties and provide fair and adequate compensation to the families;**

(c) **Ensure that prisons are allocated the necessary human and material resources to provide prisoners with adequate health care, in accordance with rules 24 to 35 of the Nelson Mandela Rules, and review the effectiveness of programmes for the prevention, detection and treatment of infectious and other diseases in prisons;**

(d) **Strengthen measures to prevent and reduce inter-prisoner violence, in particular by assigning the necessary qualified personnel to prisons and introducing appropriate prevention strategies that provide for the monitoring and documentation**

**of this type of incident to ensure that all allegations are investigated and all perpetrators are held accountable.**

#### **Allegations of torture and ill-treatment in prisons**

20. The Committee takes note of the report published by the Parliamentary Commissioner for the Prison System in 2020, which describes various situations in which institutional violence has been committed against persons deprived of their liberty.

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

(a) **Ensure that all complaints of ill-treatment are promptly investigated in an impartial manner by an independent body, that there is no institutional or hierarchical relationship between that body's investigators and the suspected perpetrators of such acts and that the suspected perpetrators are duly tried and, if found guilty, punished in a manner commensurate with the gravity of their acts;**

(b) **Ensure that the authorities open an investigation whenever there are reasonable grounds to believe that torture or ill-treatment has been inflicted;**

(c) **Ensure that, in cases of alleged torture and/or ill-treatment, suspected perpetrators are suspended from their official duties immediately and for the duration of the investigation, particularly when there is a risk that they might otherwise be in a position to repeat the alleged act, commit reprisals against the alleged victim or obstruct the investigation.**

#### **Juvenile justice**

22. Notwithstanding the progress made in the area of juvenile justice (see para. 5 (i) and (j)), the Committee notes with concern the introduction under Act No. 18026 of harsher custodial sentences for juveniles in conflict with the law. Also of concern are reports of threats, acts of violence and ill-treatment of inmates in juvenile detention centres, and reports that officials in respect of whom investigations or disciplinary proceedings have been launched for the ill-treatment of minors have not been removed from their posts. The Committee has also received reports of prolonged pretrial detention; limited availability of social, educational, labour and social reintegration activities; and poor hygiene conditions and overcrowding in juvenile facilities, especially maximum security centres. The Committee regrets that the State party has not provided statistics on suicide and self-harm in juvenile detention centres or information on the measures taken to prevent such incidents, the training received by officials working with minor detainees or the disciplinary sanctions applied to minors (arts. 2, 11–12 and 16).

23. **Recalling its previous concluding observations,<sup>10</sup> the Committee recommends that the State party:**

(a) **Ensure that juvenile offenders are deprived of their liberty only as a last resort and for the shortest amount of time possible and that their detention is reviewed periodically with a view to putting an end to it;**

(b) **Use alternatives to pretrial detention whenever possible;**

(c) **Ensure that conditions of detention in juvenile custodial centres are consistent with international human rights standards, in particular the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules);**

(d) **Ensure that all cases of alleged ill-treatment of juvenile detainees are investigated and that suspects are immediately suspended from duty for the duration of the investigation;**

(e) **Enhance juvenile detainees' access to education, rehabilitation and social reintegration programmes;**

<sup>10</sup> CAT/C/URY/CO/3, paras. 12–13.

(f) **Strengthen measures to prevent and reduce violence among adolescents in juvenile facilities. The State party should also assess the effectiveness of violence prevention programmes in such facilities and collect detailed data in that regard;**

(g) **Ensure that juvenile facilities have the necessary qualified personnel.**

#### **Acute mental health facilities**

24. The Committee notes with concern information regarding the prevalence, in acute mental health facilities, of practices of isolation, control and punishment, the lack of therapeutic care, inadequate infrastructure, lack of staff and the prolonged hospitalization of children, sometimes for years after they should have been discharged (arts. 2, 11–12 and 16).

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

(a) **Intensify its efforts to close specialized acute care centres in accordance with the Mental Health Act (No. 19529);**

(b) **Prioritize family reintegration and community-based health and social services as an alternative to the institutionalization of persons with intellectual and psychosocial disabilities;**

(c) **Avoid involuntary admission on medical grounds, which should be applied only when strictly necessary, as a last resort, for the shortest possible period and solely when accompanied by adequate procedural and substantive safeguards, such as initial and periodic judicial reviews and unrestricted access to a lawyer and to complaint mechanisms;**

(d) **Ensure that the principle of free, prior and informed consent for medical treatment is respected and that physical or chemical means of restraint are used only as a last resort to prevent the risk of harm to the individual or others and only when all other reasonable options would fail to satisfactorily contain that risk. The State party should ensure that the use of restraints is rigorously recorded in special registers, that any abuse is effectively investigated and that, where applicable, criminal charges are brought against those responsible.**

#### **Asylum system and non-refoulement**

26. The Committee congratulates the State party for the progress made in its legislation on the protection of stateless persons and victims of trafficking (see para. 5 (d) and (e)). The Committee welcomes the State party's participation in the resettlement programme for refugees who fled the violence in northern Central America between 2016 and 2018. However, it is concerned about reports that the rise in the number of applications since 2017 has placed a burden on the asylum system and impaired the efficiency of the refugee status determination process, causing long delays in the registration and processing of applications. The Committee also regrets that acts of gender-based and sexual violence have reportedly been committed against asylum-seekers (arts. 3 and 16).

27. **The State party should:**

(a) **Ensure that, in practice, no one may be expelled, returned or extradited to another State where there are substantial grounds to believe that he or she would run a personal and foreseeable risk of being subjected to torture or ill-treatment;**

(b) **Investigate and punish acts of gender-based and sexual violence against asylum-seekers.**

#### **Gender-based violence**

28. The Committee notes several legislative developments in this regard (see para. 5 (c) and (g)). However, it remains concerned about reports noting the prevalence of domestic violence against women and the increase in the number of femicides in the country. The Committee regrets that the State party has not provided the requested information on the number of complaints, investigations, prosecutions, convictions and sentences imposed in cases of gender-based violence, including domestic violence, during the period under review.

Moreover, the Committee has not received any information regarding the financial resources allocated for the protection of domestic violence victims (arts. 2 and 16).

29. **The State party should:**

(a) **Ensure that all cases of gender-based violence, especially those involving actions or omissions by the authorities or other entities which engage the international responsibility of the State party under the Convention, are thoroughly investigated, that the alleged perpetrators are prosecuted and, if convicted, punished appropriately, and that the victims or their families receive redress, including fair compensation. It should also compile and publish statistics in this area;**

(b) **Ensure that victims of gender-based violence receive the medical treatment, psychological support and legal assistance that they need, including access to adequate shelters.**

**Complaint mechanisms**

30. The Committee notes with concern reports that the State party lacks efficient mechanisms for the reporting of acts of torture and ill-treatment. The Committee is also concerned about the delegation's assertion that there is no statistical record of prosecutions for the offence of torture, since such an offence does not exist in national legislation (arts. 2, 12–13 and 16).

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

(a) **Develop efficient mechanisms for the reporting of torture and ill-treatment;**

(b) **Set up a centralized register of complaints, investigations, prosecutions and convictions in relation to cases of torture and ill-treatment. Such a register should be accessible to victims and their families and lawyers.**

**Serious human rights violations committed during the dictatorship**

32. The Committee notes the institutional developments relating to the investigation of serious human rights violations committed between 13 June 1968 and 28 February 1985 (see para. 5 (b), (f) and (h)). However, it is concerned at reports by various non-governmental organizations and the Inter-American Commission on Human Rights that little progress has been made in the criminal proceedings brought in relation to these violations. The Committee notes with concern Supreme Court judgments No. 680/2017 and No. 1925/2017, which reinstated the statute of limitations for crimes against humanity committed by State officials. It is also concerned about the bill, currently under consideration by the Senate, under which all persons deprived of their liberty over the age of 65 years, including those responsible for crimes against humanity, would instead be placed under house arrest. A further matter of concern is the State party's reported failure to comply with its obligation to provide reparation to victims of torture (arts. 1, 12, 14 and 16).

33. **The State party should:**

(a) **Redouble its efforts to investigate all allegations of torture committed in the territory under its jurisdiction between 13 June 1968 and 28 February 1985;**

(b) **Ensure that no serious human rights violation perpetrated during this period goes unpunished. In particular, the State party should ensure that neither national laws nor judicial interpretations allow for statutes of limitation, amnesty or immunity in respect of serious human rights violations, including torture and enforced disappearance. The State party should ensure that prison sentences imposed on perpetrators of serious human rights violations are proportional to the gravity of the acts committed and that such sentences are effectively served in prisons;**

(c) **Provide adequate reparation to all persons who suffered serious human rights violations in the territory under its jurisdiction between 13 June 1968 and 28 February 1985.**



### **National Human Rights Institution and Ombudsman's Office**

34. The Committee notes with satisfaction the increase in the resources allocated to the National Human Rights Institution and Ombudsman's Office. Nonetheless, political attacks on the Institution's legitimacy, in response to its calls to investigate allegations of police violence, are a matter of concern. According to information brought to the Committee's attention, the proposals made in relation to the Institution have ranged from amending the regulations governing its work to dismantling it altogether. The Committee welcomes the delegation's assertion that the State party remains committed to the National Human Rights Institution and Ombudsman's Office (art. 2).

**35. The Committee reiterates that the State party should ensure that the National Human Rights Institution and Ombudsman's Office has the independence, budget, infrastructure and resources of its own that it needs to fully execute its mandate in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).<sup>11</sup>**

### **National mechanism for the prevention of torture**

36. The Committee welcomes the State party's intention to increase the human resources of the national mechanism for the prevention of torture established within the National Human Rights Institution and Ombudsman's Office. The Committee notes the work carried out during the coronavirus disease (COVID-19) pandemic by the national mechanism, which continued to visit detention centres and developed a specific protocol for this purpose. Nonetheless, the Committee is concerned that not enough resources are allocated to the mechanism, which, according to the State party's report, consists only of a lawyer, two psychologists and two social workers, which seems insufficient given the country's large prison population (art. 2).

**37. The State party should:**

(a) **Ensure that the national mechanism for the prevention of torture has the necessary technical, financial and human resources to continue to carry out its work effectively;**

(b) **Ensure that the national mechanism has its own budget, separate from that of the National Human Rights Institution and Ombudsman's Office;**

(c) **Take the necessary steps to improve the implementation of the national mechanism's recommendations.**

### **Training**

38. The Committee appreciates the information provided by the State party on the existence of various training courses on international human rights law for police, military, judicial, prison and immigration officials. However, the State party did not provide the requested information on the number of officials who have received or still need to receive training on the Convention. Moreover, statistics shared by the National Rehabilitation Institute reveal a significant training gap. The Committee notes the delegation's acknowledgement of the lack of specialized training on the Istanbul Protocol for medical and judicial personnel (art. 10).

**39. The State party should:**

(a) **Develop and deliver compulsory and continuous training programmes and ensure that all public servants, including law enforcement officers, members of the armed forces, prison officials, border officers, medical personnel and justice officials are duly familiarized with and receive the relevant instructions regarding the provisions of the Convention and the obligations with regard to prevention, investigation, punishment and redress for crimes of torture and ill-treatment, and regarding the specific needs of vulnerable groups;**

<sup>11</sup> Ibid., para. 15.

- (b) **Ensure that medical and judicial personnel are specifically trained to detect cases of torture and ill-treatment in accordance with the Istanbul Protocol;**
- (c) **Develop and implement training programmes on non-coercive investigation techniques;**
- (d) **Ensure that a gender perspective is mainstreamed in the human rights training provided to justice officials and members of law enforcement agencies.**

#### **Reparation**

40. While the Committee appreciates the information provided by the State party on various legislative provisions related to the right to reparation, it regrets that it has not received statistical data on the measures of reparation, including rehabilitation, granted by national courts and provided to victims of torture and ill-treatment (art. 14). The Committee draws the State party's attention to its general comment No. 3 (2012) on the implementation of article 14 by States parties, in which it provides a detailed description of the nature and scope of their obligations under the Convention to grant full redress to victims of torture.

41. **The Committee reminds the State party of its obligation under article 14 of the Convention to ensure redress and the right to fair and adequate compensation for victims of torture. The State party should:**

- (a) **Ensure that all victims of torture or ill-treatment committed in the territory under its jurisdiction obtain redress, which includes an enforceable right to fair and adequate compensation, measures of restitution and satisfaction, the means for as full rehabilitation as possible and guarantees of non-repetition;**
- (b) **Systematically compile information on measures of reparation granted by national courts to victims of torture and ill-treatment and on the implementation of such measures.**

#### **Follow-up procedure**

42. **The Committee requests the State party to provide, by 13 May 2023, information on follow-up to the Committee's recommendations on the development of the national strategy for the reform of the prison system and a strategy to improve medical and health care for prisoners; the investigation of all deaths in custody; and the development of efficient mechanisms for reporting torture and ill-treatment (see paras. 15 (d) and (e), 19 (a) and 31 (a)). In that context, the State party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the concluding observations.**

#### **Other issues**

43. **The State party is requested to disseminate widely the report submitted to the Committee and the present concluding observations, in appropriate languages, through official websites, the media and non-governmental organizations and to inform the Committee about its dissemination activities.**

44. **The Committee requests the State party to submit its next periodic report, which will be its fifth, by 13 May 2026. For that purpose, and in view of the fact that the State party has agreed to report to the Committee under the simplified reporting procedure, the Committee will, in due course, transmit to the State party a list of issues prior to reporting. The State party's replies to that list of issues will constitute its fifth periodic report under article 19 of the Convention.**