



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

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## Committee against Torture

Forty-eighth session

7 May–1 June 2012

### Consideration of reports submitted by States parties under article 19 of the Convention

#### Concluding observations of the Committee against Torture

#### Cuba

1. The Committee against Torture considered the second periodic report of Cuba (CAT/C/CUB/2) at its 1078th and 1081st meetings (CAT/C/SR.1078 and CAT/C/SR.1081), held on 22 and 23 May 2012, and adopted the following conclusions and recommendations at its 1089th and 1090th meetings (CAT/C/SR.1089 and CAT/C/SR.1090).

#### A. Introduction

2. The Committee welcomes the second periodic report of Cuba and expresses appreciation for the opportunity to renew constructive dialogue with the State party. However, it notes that the periodic report, which was submitted more than nine years late, does not fully conform to the reporting guidelines.

3. The Committee appreciates the written replies to the list of issues (CAT/C/CUB/Q/2/Add.1) as well as the supplementary information provided during consideration of the periodic report. The Committee also appreciates the dialogue with the delegation, but regrets that some of the questions put to the State party were not answered.

#### B. Positive aspects

4. The Committee notes with satisfaction that, since the initial report was considered, the State party has ratified the following instruments:

(a) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (25 September 2001);

(b) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (9 February 2007);

(c) The Convention on the Rights of Persons with Disabilities (6 September 2007); and

(d) The International Convention for the Protection of All Persons from Enforced Disappearance (2 February 2009).

5. The Committee also welcomes the State party's efforts to amend its policies and procedures to ensure greater protection for human rights and apply the provisions of the Convention, in particular:

(a) Approval of a master plan for investment in the prison system, due to be implemented progressively until 2017;

(b) Continuation of the State party's scholarship programme for refugees which enables them to pursue secondary, university or higher secondary education and is currently benefiting 366 refugees, most of them Saharawis;

(c) The continuing work of the National Group for the Prevention and Treatment of Domestic Violence.

6. The Committee notes the State party's positive response to the request for a visit of the Special Rapporteur on the question of torture, which was subsequently confirmed in the voluntary commitments assumed by Cuba during the universal periodic review performed by the Human Rights Council in February 2009 (A/HRC/11/22, para. 130 (37)). The State party noted the Special Rapporteur's interest in making this visit but the dates have not yet been confirmed (A/HRC/19/61, para. 6).

## C. Principal subjects of concern and recommendations

### Definition and crime of torture

7. While noting the information provided by the State party regarding work towards a possible reform of the Criminal Code, the Committee regrets that torture, as defined in article 1 of the Convention, is still not codified as a specific offence. As regards the State party's assertion that other similar criminal offences are expressly defined in its domestic legislation, the Committee draws the State party's attention to its general comment No. 2 (2007), on the implementation of article 2 by States parties, which emphasizes the preventive value of codifying torture as a distinct offence (CAT/C/GC/2, para. 11) (arts. 1 and 4).

**The Committee reiterates the recommendation made in 1997 (A/53/44, para. 118 (a)) that the State party should expressly criminalize torture in its domestic legislation and should adopt a definition of torture covering all the aspects contained in article 1 of the Convention. The State party must also ensure that such offences are punishable by appropriate penalties which take into account their grave nature, in accordance with article 4, paragraph 2, of the Convention.**

### Fundamental due process safeguards

8. While noting the information provided by the State party concerning the content of the Criminal Procedure Act and related implementing regulations, the Committee highlights the lack of information on procedures in place to ensure the practical application of fundamental legal safeguards. The Committee is concerned about consistent reports that the State party does not extend all legal safeguards, including prompt access to a lawyer and an independent medical examination and notification of arrest to a family member, to all prisoners, including in particular those who are deprived of their liberty on alleged political grounds, from the outset of detention. The Committee regrets that no statistical data have

been provided either about complaints or allegations of torture or about habeas corpus proceedings initiated during the period under review. The Committee is concerned that article 245 of the Criminal Procedure Act establishes that habeas corpus applications are inadmissible “when the deprivation of liberty is the result of a sentence or pretrial commitment order issued in criminal proceedings”. While noting the delegation’s explanations on this matter, the Committee considers that this provision unreasonably restricts the right to challenge the legality of detention by excluding those situations where the deprivation of liberty, having been initially lawful under prevailing legislation, becomes unlawful retrospectively (arts. 2 and 16).

**The State party must adopt effective measures without delay to ensure that all detainees enjoy in practice all fundamental legal safeguards, including the right to have access to counsel at the time of arrest, to be examined by an independent physician, to have contact with a family member, to be informed of their rights and the charges against them, and to be brought before a judge without delay.**

**The State party must also adopt the measures necessary to guarantee the right of any person who has been deprived of their liberty to have access to an immediate remedy to challenge the legality of their detention.**

#### **Non-refoulement and access to a fair and expeditious asylum procedure**

9. The Committee is concerned about the lack of an appropriate legal framework for the protection of refugees, asylum seekers, and stateless persons. While noting the information provided by the State party to the effect that persons identified as refugees by the Office of the United Nations High Commissioner for Refugees are permitted to remain in the country while their resettlement is arranged, the Committee is concerned that this de facto temporary protection does not include recognition of refugee status on the part of the Cuban authorities. It also notes with concern that, although refugees and asylum seekers have access to free health services and education, they are unable to obtain a work permit and have no access to housing and other public services. The Committee is concerned that, since there is no prospect of local integration, resettlement in a third country is the only permanent solution possible for refugees in Cuba. The State party should also ensure that all cases of forced deportation are carried out in a manner consistent with the provisions of the Convention. The Committee expresses its concern about the lack of information provided on the circumstances in which the repatriation of illegal Haitian immigrants takes place. It also regrets the lack of information about any existing migration management mechanisms that facilitate the identification of persons requiring international protection (arts. 2, 3, 11 and 16).

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

**(a) Adopt the legislative measures necessary to ensure the protection of refugees, asylum seekers, and stateless persons. To this end, it urges the State party to consider ratifying the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees, as well as the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness;**

**(b) Establish mechanisms for the identification and referral of refugees and other persons who have specific requirements in the context of mixed migration flows, so that their protection needs can be met;**

**(c) Facilitate the process of local integration of refugees in Cuban territory, working in association with the Office of the United Nations High Commissioner for Refugees;**

**(d) Amend the current legislation governing migration (Act No. 1312 on Migration and Act No. 1313 on the Status of Foreigners, both of 1976).**

**Detention conditions**

10. The Committee notes that the State party has study programmes for all educational levels in detention facilities and that a programme of investment in the prison system has been approved. It regrets, however, that precise figures on occupancy levels in detention facilities have not been provided. The Committee is still extremely concerned about reports that the prison population allegedly experiences overcrowding, malnutrition, lack of hygiene, unhealthy conditions, and inadequate medical care. These reports also recount unjustified restrictions on family visits, transfers to detention facilities located a long way from detainees' family and friends, solitary confinement in degrading conditions and physical and verbal abuse of prisoners. For all these reasons, the Committee regrets the lack of data, disaggregated by age and sex, on the number of complaints and grievances filed by prisoners or members of their family and on the corresponding inquiries and their outcome (arts. 11 and 16).

**Taking into account the voluntary commitments assumed by the State party in the universal periodic review in February 2009 (A/HRC/11/22, para. 130, (45)), the Committee recommends that the State party should take all necessary steps to ensure that conditions of detention in prisons and other detention facilities conform to the Standard Minimum Rules for the Treatment of Prisoners (resolution 663 C [XXIV] of 31 July 1957, and resolution 2076 [LXII] of 13 May 1977, of the Economic and Social Council) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), adopted by the General Assembly in resolution 65/229 on 21 December 2010. In particular, the State party should:**

**(a) Continue its ongoing efforts to improve infrastructures and reduce prison occupancy rates, principally by using alternative measures to deprivation of liberty;**

**(b) Improve the quality of food and the medical and health-care facilities available to prisoners;**

**(c) Ensure that all persons deprived of their liberty enjoy the right to communicate with family members and a lawyer;**

**(d) Ensure that any cruel, inhuman or degrading punishment, such as solitary confinement in appalling conditions as a disciplinary measure, is absolutely prohibited.**

**Prolonged pretrial detention, detention for offences against State security and releases on extra-penitentiary leave**

11. The Committee notes the delegation's clarification that the Cuban legal system does not allow for the use of incommunicado detention. However, the Committee remains concerned about NGO reports that recount situations of protracted pretrial detention and indefinite detention, in application of article 107 of the Criminal Procedure Act, which appear to affect persons deprived of their liberty especially for political reasons. The Committee regrets the lack of information provided on the number and status of detainees accused of offences against State security, pursuant to article 243 of the Criminal Procedure Act. Lastly, the Committee is concerned about the ambiguous legal situation of prisoners released on extra-penitentiary leave and about information received concerning arbitrary restrictions on their personal freedom and freedom of movement. The Committee expresses

particular concern about the situation of José Daniel Ferrer and Oscar Elías Biscet (arts. 2, 11 and 16).

**The State party should take all necessary measures to:**

- (a) Ensure, in law and in practice, that pretrial detention is not excessively prolonged;**
- (b) Amend the Criminal Procedure Act to prevent indefinite prolongation of the examination of the preliminary case file;**
- (c) Ensure independent judicial supervision of custodial measures and prompt access to legal assistance;**
- (d) Ensure respect for the personal liberties and freedom of movement of persons released on extra-penitentiary leave, including their right to return to Cuba.**

#### **Preventive security measures**

12. The Committee expresses concern about the provisions of Chapter XI of Book I (Dangerousness and security measures) of the Criminal Code and in particular the definition, based on subjective and extremely vague concepts, of “dangerousness”, which purports to refer to “an individual’s particular proclivity to commit offences, as demonstrated by conduct that is manifestly contrary to the norms of socialist morality” (art. 72). The Committee takes note of the delegation’s explanation that criminal penalties are not imposed on persons declared to be “dangerous”. However, the Committee notes that the rehabilitative, therapeutic and supervisory measures established in articles 78 to 84 of the Criminal Code can entail internment in specialized labour, educational, care, psychiatric or detoxification institutions for a period of between 1 and 4 years. The Committee is concerned that it has received no information about conditions of internment in these institutions (arts. 2, 11 and 16).

**As part of the criminal legislation reform process announced by the delegation, the Committee recommends that the State party amend the aforementioned provisions of the Criminal Code with a view to ending the use of administrative detention on the basis of vague, subjective and imprecise criminal concepts such as pre-criminal social dangerousness.**

#### **Monitoring and inspection of places of detention**

13. The Committee notes that the Attorney-General’s Office and the Ministry of the Interior are empowered to inspect detention facilities and that, in accordance with legislation in force, judges and prosecutors have access to prisons and other detention facilities. However, the Committee has no information on the number and nature of the visits made by the Attorney-General’s Office or other agencies during the period under review, or on the content of the records and resolutions issued by the Attorney-General’s Office and the related follow-up. The Committee remains concerned about the lack of monitoring and systematic, effective, independent inspection of all places of detention and disagrees with the State party’s statement that the continuous improvement of the system does not call for other types of visit or additional assistance (arts. 11 and 12).

**The Committee reiterates the recommendation previously made to the State party in 1997 (A/53/44, para. 118 (d)) to establish an independent national system to effectively monitor and inspect all places of detention and follow-up on the outcome of this systematic monitoring.**

**The Committee encourages the State party to consider the possibility of ratifying the Optional Protocol to the Convention with a view to establishing a system of regular**

**unannounced visits by national and international monitors, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.**

**The Committee also reiterates its previous recommendation (ibid., (i)) that the State party should allow human rights NGOs into the country and cooperate with them in the identification of cases of torture and ill-treatment.**

#### **Death penalty**

14. The Committee notes the information provided by the State party concerning the last three executions of persons sentenced to death in Cuba, which, after a summary procedure, were carried out on 11 April 2003. Despite the delegation's explanations, the Committee still has serious reservations as to whether in these cases the State party respected due process guarantees such as the detainees' right to have adequate time and facilities to prepare their defence and to communicate with counsel of their choosing. While noting that there are currently no convicted prisoners awaiting execution in the State party and that all death sentences have been commuted to prison sentences of 30 years or life, the Committee remains concerned about the high number of offences that carry the death penalty, including common crimes and vaguely defined categories of State security-related offences (arts. 2, 11 and 16).

**The Committee urges the State party to respect the international norms established in the Safeguards guaranteeing protection of the rights of those facing the death penalty (approved by Economic and Social Council resolution 1984/50 of 25 May 1984). The State party is invited to consider the possibility of abolishing the death penalty and to ratify the International Covenant on Civil and Political Rights and its Second Optional Protocol concerning abolition of the death penalty.**

#### **Deaths in custody**

15. The information provided by the State party indicates that no liability on the part of the officers involved was established in any of the deaths in custody that occurred during the period under review and that the autopsy found no signs of physical violence in any of these cases. However, the Committee regrets that the State party has provided no statistical information on the causes of these deaths or on mortality rates in detention facilities. The limited information provided indicates that between 2010 and 2011 there were a total of 202 deaths in the prison system, a figure which the Committee considers high. The Committee further regrets that the information relating to the death of Mr. Orlando Zapata Tamayo, a prisoner on hunger strike, was time-barred and without any possibility of dialogue. It also regrets the lack of information on the death in police custody of Mr. Juan Soto Wilfredo García, as requested in the list of issues (arts. 2, 11 and 16).

**The State party should ensure that all deaths in custody are investigated promptly, thoroughly and impartially; should assess the health care received by inmates and any possible liability on the part of prison personnel; and should provide, where appropriate, adequate compensation to the families of the victims.**

**The State party should guarantee appropriate monitoring and medical treatment of persons deprived of their liberty who go on hunger strike.**

#### **Complaints mechanism**

16. Although the State party has provided information about the various bodies and mechanisms that deal with citizen complaints and petitions, the Committee regrets that no dedicated, independent and effective mechanism has as yet been established to receive complaints, conduct prompt and impartial investigations into allegations of torture and ill-treatment and ensure that those responsible are duly punished. The Committee also notes

the lack of statistical information about the number of complaints, investigations, prosecutions and criminal and disciplinary sanctions imposed against the perpetrators of acts of torture and ill-treatment (arts. 2, 12, 13 and 16).

**The Committee reiterates its previous recommendations (A/53/44, para. 118 (b) and (g)) in which it urged the State party to:**

**(a) Establish a dedicated, independent mechanism for receiving complaints of torture and ill-treatment so as to ensure the prompt and impartial examination of such complaints;**

**(b) Establish a central register of complaints, investigations, prosecutions and convictions in cases of torture and ill-treatment, which should be publicly accessible.**

**The State party should ensure that complainants and witnesses of torture and ill-treatment receive the necessary protection and assistance.**

#### **Investigations and prosecutions**

17. The figures provided by the State party indicate that the Attorney-General's Office received 263 complaints of ill-treatment in prisons and detention facilities between 2007 and 2011 and that, after the corresponding investigations, 46 law enforcement officers were found to be criminally liable. The Committee regrets that in the course of the dialogue the delegation provided no additional and more detailed information about the investigations, prosecutions, disciplinary proceedings and corresponding compensation. It has also received no information about the sentences and criminal or disciplinary sanctions imposed on offenders, nor has it indicated whether or not the alleged perpetrators of these acts were removed or expelled from public service pending the outcome of the investigation of the complaints. In the absence of this information, the Committee finds itself once again unable to assess the State party's actions in the light of the provisions of article 12 of the Convention (arts. 2, 12, 13, 14 and 16).

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

**(a) Ensure the prompt and impartial investigation of all complaints of torture and ill-treatment. Such investigations should be under the responsibility of an independent body and not subordinate to the executive branch of Government;**

**(b) Launch prompt and impartial investigations spontaneously whenever there are reasonable grounds to believe that an act of torture has been committed;**

**(c) Ensure that, in cases of alleged torture and ill-treatment, suspects are suspended from duty immediately 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 or to obstruct the investigation;**

**(d) Bring to trial the alleged perpetrators of acts of torture or ill-treatment and, if they are found guilty, ensure sentences with penalties that are consistent with the gravity of their acts and that the victims receive compensation.**

#### **Independence of the judiciary and the role of lawyers**

18. The Committee notes with concern that there have been no significant changes in the State party's justice system since its initial report was submitted in 1997. It is particularly concerned about the lack of independence from the executive and legislative branches within both the judiciary and the legal profession (art. 2, para. 1).

**In the light of its previous recommendation (A/53/44, para. 118 (e)), the Committee considers it essential that legislative measures be adopted to guarantee the independence of the judiciary. The Committee also recommends that the State party should ensure compliance with the Basic Principles on the Role of Lawyers (Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990 [A/CONF.144/28/Rev.1], p. 118).**

#### **Psychiatric institutions**

19. The Committee notes the information provided by the State party regarding the content of the judgement delivered by the Second Criminal Division of the People's Court in Havana on 31 January 2011 in the case brought against the director, deputy directors and other employees of the Havana Psychiatric Hospital following the death of 26 patients from hypothermia in January 2010. The Committee regrets that it has not received the information requested about the redress and compensation measures ordered by the courts and actually provided to the families of the victims and other patients affected. Although it notes that the Ministry of Public Health has a plan to improve the efficiency of this institution, the Committee has received no information on the content of the plan. Lastly, the Committee regrets that it has received no statistical data on the number of persons with psychosocial disabilities that are currently receiving forced medical treatment (arts. 2, 11, 14 and 16).

**The Committee urges the State party to provide information about the redress and compensation measures ordered by the courts and actually provided to the victims and/or their families in relation to the deaths that occurred in the Havana Psychiatric Hospital in 2010.**

**The State party should take the necessary steps to resolve any deficiencies that might exist in the psychiatric hospital network and ensure that events of this type do not recur. The Committee recommends that an analysis of the way in which psychiatric institutions operate in practice be undertaken as a matter of urgency, by means of external and internal audits of the institutions involved, with a view to adopting legislative and administrative measures to ensure that the guarantees required to prevent torture are applied in practice.**

#### **Civil society actors at risk**

20. The Committee notes that the State party denies that there has been an increase in the number of political opponents, human rights activists and independent journalists placed in short-term detention without a court order, as reported to the Committee by human rights organizations. However, given the lack of official data, the Committee remains seriously concerned about the continuing reports of arbitrary detention for short periods, the use of ambiguous criminal concepts such as "pre-criminal social dangerousness" to justify the imposition of security measures, restrictions on freedom of movement, intrusive surveillance, physical aggression and other acts of intimidation and harassment allegedly committed by officers of the National Revolutionary Police and members of State security bodies. The Committee is also concerned about reports that "acts of repudiation" continue to occur outside the homes of members of the Unión Patriótica de Cuba and the Ladies in White group, among others. The Committee regrets the State party's reluctance to submit comprehensive information about the incidents referred to in the list of issues and the measures taken to prevent coordinated action of this kind, in which assumed collusion between the harassers and the police authority is apparent (arts. 2 and 16).

**In the light of its previous concluding observations (A/53/44, para. 11), the Committee urges the State party to:**

(a) **Adopt the measures necessary to put an end to the forms of repression mentioned above, including arbitrary detention and the use of preventive security measures against political opponents, human rights defenders and activists, independent journalists and other civil society actors at risk and members of their families. In addition, the State party should ensure that these acts of repression, intimidation and harassment are duly investigated and the perpetrators punished;**

(b) **Ensure that all persons are protected from the intimidation or violence to which they might be exposed as a result of their activities or the simple exercise of their freedom of opinion and expression and their right of association and peaceful assembly;**

(c) **Authorize the registration of human rights NGOs so requesting in the Register of National Associations, in accordance with the provisions of Act No. 54 of 27 December 1985 (Associations Act).**

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

21. The Committee notes with concern that the State party has provided no information on the existing legal framework for combating violence against women in Cuba or on the measures taken to eliminate this phenomenon, including domestic and sexual violence. The Committee also regrets the lack of statistical data corresponding to the period under review for the different forms of violence against women (arts. 2 and 16).

**The Committee urges the State party to provide detailed information on existing legislation governing this area and on cases of violence against women that occurred during the period under review.**

#### **Coerced confessions**

22. While it takes note of the constitutional safeguards and the provisions of the Criminal Procedure Act establishing the inadmissibility of evidence obtained through torture, the Committee expresses concern about reports of the use of coercive methods during questioning, in particular sleep deprivation, solitary confinement and exposure to sudden temperature changes. The Committee notes the information provided by the State party which indicates that during the period under review no cases were dismissed because the evidence or testimonies submitted were obtained through torture or ill-treatment, although, according to the delegation, neither was torture as a procedure invoked in any case (arts. 2 and 15).

**The State party must adopt effective measures that guarantee in practice the inadmissibility of coerced confessions. The State party should ensure that law enforcement officials, judges and lawyers receive training in how to detect and investigate cases where confessions are obtained under duress.**

#### **Training**

23. The Committee takes notes of the information provided about the technical and vocational training programmes available to medical personnel, members of the National Revolutionary Police, prison officers and justice officials but regrets the paucity of available information on the evaluation of these programmes and their success in reducing the incidence of torture and ill-treatment. The Committee also notes that the State party has submitted no information about specific training programmes or the use of the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) (art. 10).

**The State party must:**

(a) Continue to prepare and run training programmes to ensure that judges, public prosecutors, law enforcement officials and prison officers are fully aware of the provisions of the Convention, that breaches are not tolerated but investigated, and that the perpetrators are brought to trial;

(b) Develop and implement a methodology for assessing the effectiveness and impact of training programmes in reducing the incidence of torture and ill-treatment;

(c) Ensure that all relevant personnel receive specific training in the Istanbul Protocol.

#### **Redress, including compensation and rehabilitation**

24. While taking note of the information provided in the periodic report concerning avenues of redress for civil liability and the institutional mandate of the Compensation Fund, the Committee is concerned that victims of torture or ill-treatment cannot obtain compensation if the perpetrator of the acts of torture or ill-treatment has been the subject of disciplinary rather than criminal sanctions. The Committee further regrets that the State party has provided no information on the reparation and compensation measures, including rehabilitation, ordered by the courts and effectively provided to victims of torture and ill-treatment (see A/53/44, para. 117) (art. 14).

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

(a) Ensure that all the victims of torture and ill-treatment obtain redress and have a legally enforceable right to fair and adequate compensation, including the means for the fullest possible rehabilitation;

(b) Guarantee the effectiveness of mechanisms designed to ensure redress and adequate compensation for victims of torture and other forms of ill-treatment.

**The Committee reiterates its previous recommendation (A/53/44, para. 118 (h)) that the State party should create a compensation fund for victims of torture and ill-treatment.**

#### **National human rights institution**

25. The Committee is concerned that the State party does not consider it opportune to establish a national human rights institution in accordance with the Paris Principles (General Assembly resolution 48/134, annex). While noting that the duties of the Attorney-General's Office and other State institutions include dealing with complaints of alleged rights violations filed by citizens, the Committee observes that none of the bodies listed by the State party qualifies as an independent national human rights institution (art. 2).

**The Committee urges the State party to consider establishing a national human rights institution in accordance with the Paris Principles.**

#### **Data collection**

26. The Committee is concerned that, despite its previous recommendation (A/53/44, para. 118 (j)), the State party has not provided detailed statistical information on various issues and it regrets the State party's decision not to transmit all the information requested. The absence of disaggregated data on complaints, investigations, prosecutions and convictions in cases of torture and ill-treatment, as well as in cases of deaths in custody, domestic violence and trafficking in human beings, hampers the identification of abuse requiring attention, and the effective implementation of the Convention (arts. 2, 16 and 19).

**The State party should compile statistical data relevant to the monitoring of the implementation of the Convention at the national and local levels, disaggregated by gender, ethnicity, age, geographical region and type and location of place of deprivation of liberty, including data on complaints, investigations and prosecutions of cases of torture and ill-treatment perpetrated by law enforcement officials and military and prison personnel, as well as of cases of deaths in custody, violence against women and trafficking in human beings. It should also collect information about any compensation or damages awarded to the victims.**

27. The Committee regrets that the State party has not provided any information on specific national court rulings in which the Convention and its provisions have been invoked.

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

29. The Committee invites the State party to consider ratifying the core United Nations human rights treaties to which it is not yet a party, particularly the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

30. The State party is encouraged to disseminate the reports submitted to the Committee and these concluding observations widely through the official media and non-governmental organizations.

31. The State party is invited to upgrade its core document (HRI/CORE/1/Add.84), in accordance with the requirements of the common core document contained in the harmonized guidelines on reporting under international human rights treaties (HRI/GEN/2/Rev.6).

32. The Committee requests the State party to provide, by 1 June 2013, follow-up information in response to the Committee's recommendations related to: (a) ensuring or strengthening fundamental legal safeguards for detainees; (b) conducting prompt, impartial and effective investigations; and (c) prosecuting suspects and sanctioning perpetrators of torture or ill-treatment, as contained in paragraph 10 (c), paragraph 16 (b), paragraph 19 and paragraph 21 of this document. In addition, the Committee requests follow-up information on remedies and redress provided to the victims addressed in these paragraphs.

33. The State party is invited to submit its next report, which will be the third periodic report, by 1 June 2016. To this end, the Committee invites the State party to agree, by 1 June 2013, to report under its optional reporting procedure, in which the Committee transmits a list of issues to the State party prior to submission of the periodic report. The State party's response to this list of issues will constitute the next periodic report to be submitted under article 19 of the Convention.