



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 Uzbekistan*

1. The Committee against Torture considered the fourth periodic report of Uzbekistan (CAT/C/UZB/4) at its 1172th and 1175th meetings, held on 29 and 30 October 2013 (CAT/C/SR.1172 and CAT/C/SR.1175), and adopted the following concluding observations at its 1196th and 1197th meetings (CAT/C/SR.1196 and 1197) held on 14 November 2013.

A. Introduction

2. The Committee welcomes the timely submission of the fourth periodic report of Uzbekistan and the extensive responses to the list of issues (CAT/C/UZB/Q/4/Add.2) by the State party and the representatives who participated in the oral review.

3. The Committee also appreciates the high-level delegation of the State party and the additional oral and written information provided by the representatives of the State party to questions raised and concerns expressed during the consideration of the report.

B. Positive aspects

4. The Committee welcomes the ratification, inter alia, of international instruments, including:

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

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

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

(d) International Labour Organization (ILO) Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

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



- (e) ILO Convention No. 138 (1976) concerning Minimum Age for Admission to Employment;
 - (f) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
5. The Committee also welcomes the entry into force, inter alia, of national legislation, including:
- (a) The law on guarantees of the rights of the child of 7 January 2008;
 - (b) The law on fighting human trafficking of 17 April 2008;
 - (c) The law on prevention of child neglect and juvenile delinquency of 29 September 2010;
 - (d) The law on amendments and additions to the code of the Republic of Uzbekistan on administrative responsibility on the question of exemption from administrative liability for minor offences of 26 April 2011;
 - (e) The law on pretrial detention during criminal proceedings of 29 September 2011.
6. The Committee also notes with interest the efforts of the State party to develop policies, programmes and administrative measures in response to the recommendations of the Committee against Torture, including adoption of a national plan of action following consideration of its third periodic report by the Committee in 2007.

C. Principal subjects of concern and recommendations

Widespread torture and ill-treatment

7. The Committee is concerned about numerous, ongoing and consistent allegations that torture and ill-treatment are routinely used by law enforcement, investigative and prison officials, or at their instigation or with their consent, often to extract confessions or information to be used in criminal proceedings. While recognizing that the State party is not subject to the jurisdiction of the European Court of Human Rights, the Committee notes that in 2011 the Court determined that “the use of torture and ill-treatment against detainees in Uzbekistan is ‘systematic’, ‘unpunished’ and ‘encouraged’ by law enforcement and security officers.”¹ The Committee is concerned that the State party deemed “unfounded” numerous complaints of torture raised during the review, several of which had previously been addressed by other United Nations human rights mechanisms. It notes that while the State party indicated that 45 individuals were prosecuted for torture in the period 2010–2013, the State party recorded 336 complaints of torture or ill-treatment against law enforcement officers during the same period. While welcoming the information submitted by the State party that the legislative, judicial and executive branches of Government are combating torture, the Committee is concerned that it has not received information suggesting that executive branch officials have recently and publicly condemned torture or directed condemnation to police and prison officials (arts. 4, 12, 13, 15 and 16).

¹ European Court of Human Rights, application no. 7265/10, *Yakubov v. Russia*, judgment of 8 November 2011, para. 82.

As a matter of urgency, the State party should:

(a) Carry out prompt, impartial and effective investigations into all allegations of torture and ill-treatment and prosecute and punish all those responsible, including law enforcement and prison officials. The Committee reiterates its recommendations that the State party should apply a zero-tolerance approach to the continuing problem of torture and to the practice of impunity;

(b) Ensure that high level officials in the executive branch publicly and unambiguously condemn torture in all its forms, directing this especially to police and prison staff;

(c) Warn that any person committing such acts, or otherwise complicit or participating in torture will be held personally responsible before the law for these acts and subject to severe criminal penalties.

Harassment, arbitrary imprisonment and alleged torture of human rights defenders

8. The Committee is deeply concerned by numerous and consistent reports of the arbitrary imprisonment of human rights defenders and journalists in retaliation for their work. The Committee is particularly concerned by allegations that numerous human rights defenders that have been deprived of their liberty have been subjected to torture and other ill-treatment, including: Gaibullo Djalilov, Rasul Khudoynazarov, Azam Formonov, Mehrinisso and Zulhumor Hamdamova, Nosim Isakov, Yuldash Rasulov, Zafarjon Rahimov, Akzam Turgunov and Gulnaza Yuldasheva and journalist Muhammad Bekjanov. The Committee is also concerned by the apparent failure of the State party authorities to investigate effectively allegations that other human rights defenders, have been arbitrarily imprisoned or otherwise harassed in retaliation for their work, including but not limited to Bobomurod Razzakov, Solijon Abdurakhmanov, Isroiljon Holdarov, Turaboi Juraboev, Ganihon Mamatkhanov, Dilmurod Saidov, Nematjon Siddikov and Elena Urlayeva. The Committee regrets the State party's insistence to the Committee that the above-mentioned allegations are "unfounded", despite the existing corroboration. It is further concerned that full, independent and effective investigations of the allegations and prosecution of the perpetrators have not taken place (arts. 4, 12, 13 and 16).

The Committee recommends that the State party should:

(a) Recognize that human rights defenders are at risk and have been targeted for reprisals due to the performance of their human rights activities, which play an important role in a democratic society;

(b) Take all necessary measures to ensure that all human rights defenders are able to conduct their work and activities freely and effectively;

(c) Investigate promptly, thoroughly and impartially all allegations of harassment, arbitrary arrest, denial of adequate medical treatment and torture or ill-treatment of human rights defenders, including those listed above, prosecute and punish appropriately those found guilty, and provide the victims with redress;

(d) Release from detention human rights defenders who are imprisoned and in detention in retaliation for their human rights work.

Investigation and prosecution of acts of torture and ill-treatment

9. The Committee is deeply concerned at the failure of the authorities to carry out prompt, effective and independent investigations into allegations of torture and ill-treatment by public officials, including in the cases of Erkin Musaev, Batyrbek Eshkuziev, Bahrom Ibragimov, Davron Kabilov, Ravshanbek Vafoev, Ruhiddin Fahrutdinov, Gayrat

Mehliboev, Rustam Usmanov, Vahit Gunes, Zahid Umataliev, Norboy Kholjigitov and Yusuf Jumaev. While noting the responses of the State party to cases of alleged violations of the Convention, the Committee reiterates its concern that the State party presented extensive detail on the alleged crimes committed by the complainants and not on any State party investigations into these allegations of torture (arts. 12, 13 and 16).

The State party should provide further specific information regarding the steps taken to investigate the instances of alleged torture and ill-treatment raised by the Committee. The State party should provide the Committee with current data on the number of complaints received alleging torture and ill-treatment by law enforcement and other public officials, the number investigated by the State party, any prosecutions brought and any resulting convictions and sentences. The State party should also provide the Committee with data on cases in which officials were subjected to disciplinary measures for failure to investigate complaints of torture or ill-treatment adequately or for refusal to cooperate in investigating any such complaint.

Definition of torture and amnesties for torture

10. The Committee remains concerned that, because the definition in article 235 of the criminal code restricts the prohibited practice of torture to the actions of law enforcement officials and does not cover acts by “other persons acting in an official capacity”, including those acts that result from the instigation, consent or acquiescence of a public official, it does not contain all the elements of article 1 of the Convention. The Committee welcomes the information that the Supreme Court issued decisions in 2004 and 2008 indicating that courts should use the definition of torture in article 1 of the Convention, but is concerned at reports that judges, investigators and law enforcement personnel continue to apply only the criminal code. The Committee is further concerned that the State party continues to award amnesties to individuals who have been convicted of violating article 235 of the criminal code (arts. 1 and 4).

The Committee reiterates its previous recommendation that the State party adopts in its criminal code a definition of torture that reflects all of the elements contained in article 1 of the Convention. The State party should ensure that persons who act in an official capacity, as well as officials who consent to or acquiesce in torture perpetrated by third parties, are classified under the law as perpetrators of torture rather than, as is presently the case, persons who aid and abet torture. The practice of granting amnesties to persons convicted of torture or ill-treatment should be abolished, as outlined by the Committee in its general comments Nos. 2 (2007) on the implementation of article 2 by States parties and 3 (2012) on the implementation of article 14 by States parties, which affirm that amnesties for the crime of torture are incompatible with the obligations of States parties.

The events in Andijan in 2005

11. The Committee remains concerned that there have been no full and effective investigations into the numerous claims of excessive use of force by officials during the events of May 2005 in Andijan. The Committee recalls that the acts of the Uzbek officials resulted, according to the State party, in 187 deaths and according to other sources, 700 or more deaths, as well as in numerous detentions, and that the Committee is not aware of cases in which law enforcement personnel were prosecuted for using excessive force against civilians, arbitrary detention, or torture and ill-treatment of persons taken into custody in connection with the events. The Committee further remains concerned that the State party has limited and obstructed, and therefore prevented, independent human rights monitoring in the aftermath of these events and has not permitted any independent

investigation into these events, declaring that in its view the events of May 2005 are “closed” (arts. 1, 4, 12, 13 and 16).

The Committee reiterates its recommendation that the State party should take effective measures to institute a full, effective and impartial inquiry into the events of May 2005 in Andijan, in order to ensure that alleged violations of the Convention are investigated and the individuals found responsible are properly punished and victims obtain redress. The Committee recommends that credible, independent experts conduct this inquiry and that the results be made available to the public.

Sexual violence

12. The Committee is concerned at the reports it has received that the authorities have perpetrated or acquiesced in, threatened to perpetrate and threatened to acquiesce in acts by other prisoners of sexual violence against individuals deprived of their liberty. It notes in particular the cases of human rights defender Mutabar Tajebeeva, who alleges that she was forcibly sterilized against her will while imprisoned in March 2008; Katum Ortikov, who alleges that he was subjected to sexual violence and threatened by police that he would be raped by another inmate while in custody in January 2009; Rayhon and Nargiza Soatova, who allege that they were gang-raped by police while in custody in May 2009; Mehrinisso and Zulhumor Hamdamova, who allege that that they were forced to strip and threatened with rape by police while in custody in November 2009; and human rights defender Gulnaza Yuldasheva, who alleges that she was threatened by police with rape while in custody in 2012. The Committee’s concerns are amplified by the claims of the State party that there have been no cases in which it has received complaints of sexual violence against persons deprived of their liberty since the Committee’s previous review (arts. 2 and 11).

The Committee recommends that the State party ensure that thorough investigations are undertaken of all allegations of torture or ill-treatment, including sexual violence and rape, committed in detention facilities and other places of deprivation of liberty; that those found guilty are prosecuted and punished and that adequate redress and compensation are provided to the victims.

Fundamental legal safeguards

13. The Committee expresses its serious concern at the failure of the State party in practice to afford all persons deprived of their liberty with all fundamental legal safeguards from the very outset of detention. The Committee is concerned at reports that detainees are frequently denied access to a lawyer of their choice independent of State authority and that police officers forcibly extract confessions in the period immediately following deprivation of liberty. The Committee is also concerned that individuals charged with administrative offences are not provided in law or in practice with sufficient access to independent legal counsel or to prompt presentation before a judge. Taking into account the consistency of the information received, the Committee regrets the assertion by the State party that it had detected no case in which officials failed to provide safeguards for persons deprived of their liberty during the reporting period and that as a result, no officials have been subject to disciplinary or other measures for such conduct (arts. 2, 11, 12, 13, 15 and 16).

The State party should immediately adopt measures to ensure in law and practice that every person deprived of his or her liberty, including pursuant to the domestic administrative law, is afforded legal safeguards against torture from the outset of detention. The State party should:

(a) **Ensure that all individuals deprived of their liberty have prompt and unimpeded access to a lawyer of their choice independent of State authority, that they obtain, at their request, immediate access to an independent medical examination,**

that they may, at their request, contact a family member and that they are informed of their rights and the charges against them;

(b) Ensure that the State party monitors the provision of safeguards by all public officials to persons deprived of their liberty, including by requiring that the relevant information be documented in detention registers and that the compliance of officials with these reporting requirements be monitored;

(c) Ensure that any public official who denies fundamental legal safeguards to persons deprived of their liberty is disciplined or prosecuted and provide data to the Committee on the number of cases in which public officials have been disciplined for such conduct;

(d) Consider taking measures to ensure the videotaping of all interrogations in police stations and detention facilities as a preventive measure.

Independence of lawyers

14. The Committee is concerned at the information received that the Chamber of Advocates is not sufficiently independent from the Ministry of Justice and that this has had a negative impact on the independence of the legal profession. The Committee is also concerned that a legislative change in 2009 requiring all attorneys to undergo recertification every three years has in practice resulted in denial of licences to several attorneys who previously represented individuals allegedly subjected to torture, including Ruhiddin Komilov, Rustam Tyuleganov and Bakhrom Abdurakhmanov (art. 2).

The State party should take steps to ensure the independence of lawyers and consider amending its legislation to ensure full independence of the Chamber of Advocates from the Ministry of Justice, in particular removing the authority of the Ministry to appoint and remove the Chair of the Chamber. The State party should consider amending the requirement that lawyers obtain recertification to practise every three years.

Application of habeas corpus provisions

15. The Committee welcomes the introduction of habeas corpus provisions in domestic legislation. However, it is concerned that judges are not permitted to assess the legality of detention, that the participation of defence lawyers in habeas corpus hearings is not mandatory, that such hearings are reportedly closed and that the 72-hour period in which a person may be detained before being brought before a judge exceeds the 48-hour period recommended by the Committee. Moreover, the Committee is concerned by reports that officials frequently exceed the allowable time period in practice, including by detaining individuals on administrative charges or recording the time or date of detention incorrectly (arts. 2, 11, 12, 13, 15 and 16).

The Committee recommends that the State party amend the criminal procedure code to provide judges with competence to apply less restrictive alternatives to detention during habeas corpus hearings, including guarantees of appropriate conduct that would allow the accused to be released pending trial. The State party should ensure in law and in practice that the right of detainees to a lawyer of their choice in habeas corpus hearings is respected. The State party should also ensure that all habeas corpus hearings are public and accessible to independent monitors. The State party should consider revising its legislation so that any detainee, whether detained on criminal or administrative grounds, must be brought to a habeas corpus hearing within 48 hours of deprivation of liberty.

Evidence obtained through torture

16. The Committee is concerned about numerous allegations that persons deprived of their liberty were subjected to torture or ill-treatment for the purpose of compelling a forced confession and that such confessions were subsequently admitted as evidence in court in the absence of a thorough investigation into the torture allegations. The Committee is further concerned at the failure of the State party to provide the Committee with information on cases in which judges have deemed confessions inadmissible on the grounds that they were obtained through torture, or with data on the number of cases in which judges have sought investigations into allegations made by defendants that they confessed to a crime as a result of torture (art. 15).

The State party should ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made, by:

(a) Including the prohibition explicitly in all relevant articles of the criminal procedure code;

(b) Ensuring that judges ask all defendants in criminal cases whether or not they were tortured or ill-treated in custody and order independent medical examinations whenever necessary;

(c) Ensuring in law that judges are mandated to order an investigation when provided with prima facie evidence of torture during habeas corpus hearings;

(d) Providing the Committee with information on any cases in which confessions were deemed inadmissible on the grounds that they were obtained through torture and indicating whether any officials have been prosecuted and punished for extracting such confessions.

Independent complaints mechanism

17. Notwithstanding the efforts of the State party to investigate complaints of torture, such as through instruction 334 of the Ministry of Internal Affairs, special staff inspection units and the Parliamentary Ombudsperson, the Committee is concerned that, according to numerous reports, these bodies have not been effective in combating torture and lack independence (art. 13).

The State party should ensure in law and in practice that every person has the right to complain of torture or ill-treatment to an effective and fully independent mechanism that will investigate and respond promptly and should ensure that the Parliamentary Ombudsperson is fully independent.

Independent monitoring of places of detention

18. While noting the affirmation of the State party that all places of detention are monitored by independent national and international organizations and that they would welcome further inspections, the Committee remains concerned at information it has received indicating the virtual absence of independent and regular monitoring of the places of detention. The Committee is further concerned at the information it has received about measures taken by the State party that have impeded the work of numerous independent human rights organizations which previously operated in the State party. The Committee is alarmed by the announcement in April 2013 by the International Committee of the Red Cross that it was ceasing its visits to places of detention in the State party on the grounds that it had been unable to follow its working procedures, rendering such visits “pointless” (arts. 2, 11, 12 and 13).

The Committee urges the State party to establish a national system that independently, effectively and regularly monitors and inspects all places of detention without prior notice, reports publicly on its findings, and raises with the authorities detention conditions or conduct in places of detention amounting to torture or ill-treatment. The State party should amend its legislation, regulations and policies as necessary to facilitate the reopening, granting of access to and full functioning of independent national and international human rights and humanitarian organizations in the State party. The State party should ensure that representatives of such organizations are able to carry out independent, unannounced monitoring of all places of deprivation of liberty, in accordance with their standard operating procedures.

Conditions of detention

19. While the Committee appreciates the information from the State party regarding the decrease in the number of prisoners in the correctional institutions of the State party, it is concerned at the numerous reports of abuses in custody and deaths in detention, some of which are alleged to have followed torture or ill-treatment. The Committee also remains concerned regarding the conditions in the Jaslyk detention facility (arts. 2, 11 and 16).

The Committee reiterates its recommendation that the State party should improve conditions of detention, including in the Jaslyk detention facility. The State party should take prompt measures to ensure that all instances of death in custody are promptly investigated and those responsible for any deaths resulting from torture, ill-treatment or any other illegal actions are prosecuted.

Redress for victims of torture

20. The Committee is concerned that, according to the information from the State party, it has not awarded or provided any compensation to victims of torture in the reporting period, despite provisions providing for the rights of victims to material and moral rehabilitation in legislation. The Committee is further concerned at the lack of concrete examples of cases in which individual victims of torture received medical or psychosocial rehabilitation (art. 14).

The State party should ensure that victims of torture obtain redress and have an enforceable right to fair and adequate compensation, including the means for as full a rehabilitation as possible. The Committee draws the attention of the State party to its general comment No. 3 (2012), which explains the content and scope of the obligations of States parties to provide full redress to victims of torture and recommends amending the domestic legislation accordingly.

Independence of the judiciary

21. The Committee remains concerned that the judiciary remains weak, inefficient and influenced by the executive, that judges lack security of tenure and that lower-level appointments are made by the executive, which reappoints judges every five years (arts. 2, 12 and 13).

The State party should take measures to ensure the full independence and impartiality of the judiciary in the performance of its functions and review the regime of appointment, promotion and dismissal of judges in line with the relevant international standards, including the Basic Principles on the Independence of the Judiciary (endorsed by General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985).

Forced labour and child labour

22. The Committee welcomes the information that young children up to ninth grade are no longer systematically involved in work in the cotton sector, but is concerned at reports that between 500,000 and 1.5 million adults and high-school student aged 15 to 17 continue to be mobilized to pick cotton for up to two months each autumn and that during that time, they live in substandard conditions, without access to safe drinking water (arts. 2 and 16).

The Committee recommends that the State party should end the practice of using the forced labour of adults and children in the cotton sector and permit international and independent national non-governmental organizations and activists to conduct regular independent monitoring.

Situation of refugees and non-refoulement

23. The Committee is particularly concerned at allegations that some individuals extradited from neighbouring countries have been subjected to torture and others detained incommunicado. The Committee is also concerned that nearly 200 refugees recognized by the Office of the United Nations High Commissioner for Refugees (UNHCR) who reside in Uzbekistan are considered to be migrants and their specific protection needs are not recognized because of the absence of a refugee law in line with the international standards for the protection of refugees (arts. 2 and 3).

The State party should ensure that individuals extradited to face trial in its courts are awarded the full protection of the Convention. The State party should adopt a refugee law that complies with the terms of the Convention. The State party should invite UNHCR to return and assist in protecting the refugee population. It should consider becoming party to the Convention relating to the Status of Refugees of 1951 and its Protocol of 1967.

Forced sterilization of women

24. The Committee is seriously concerned at substantiated reports it has received that women who have given birth to two or more children, particularly in rural regions, have been subjected to sterilization procedures without informed consent (arts. 2, 12 and 16).

The Committee recommends that the State party eliminate the sterilization of women without their informed consent, amounting to forced sterilization, and protect the reproductive rights of women. The Committee further recommends that the State party establish a confidential, independent complaints mechanism that can be easily accessed by women who allege that they have been subjected to sterilization procedures in the absence of their free and informed consent.

Violence against women

25. The Committee is concerned by reports of cases of violence against women, including in places of detention and elsewhere, and notes the lack of information provided about prosecutions of persons for acts of violence against women. The Committee is further concerned that domestic violence and marital rape are not defined in the criminal law of the State party and at reports that law enforcement officers are dismissive of women's complaints of such violence and that there are inadequate facilities available for women victims of such violence in the State party (arts. 2, 12, 13, 14 and 16).

The State party should adopt specific legislative and other measures to prevent violence against women, including domestic violence. The State party should define and criminalize domestic violence and marital rape in its legislation and ensure that all women have access to adequate medical, social and legal services and temporary

accommodation. The State party should ensure that mechanisms are in place to encourage women victims of violence to come forward and that all allegations of violence are promptly, thoroughly and effectively investigated, that perpetrators are held accountable and that women victims of violence obtain adequate redress including, inter alia, compensation and rehabilitation.

Cooperation with United Nations human rights mechanisms

26. Despite the recent efforts of the State party to cooperate with certain United Nations human rights mechanisms and procedures, the Committee is concerned that the State party has not accepted the recent requests of more than 10 special procedures of the Human Rights Council to visit the country.

The State party should consider issuing a standing invitation to the special procedures of the Human Rights Council and in particular facilitate the outstanding request of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to visit Uzbekistan at the earliest occasion possible.

Training of personnel

27. The Committee takes note of the information regarding study programmes on the Convention and of training workshops it has organized for law enforcement officers, prison officials, medical personnel serving in the correctional system and other State officials. The Committee regrets that the State party has not provided information regarding the way it assesses whether this training has been effective. The Committee also notes a lack of information provided on gender-specific training (art.10).

The State party should provide gender-specific training and training for medical personnel dealing with detainees, in particular in pretrial detention facilities, on the identification of signs of torture and ill-treatment pursuant to the Istanbul Protocol of 1999 (Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment). The State party should develop and implement a methodology to assess the effectiveness and impact of its training and educational programmes on cases of torture and ill-treatment.

Other issues

28. The Committee recommends that the State party consider making the declarations envisaged under articles 21 and 22 of the Convention, in order to recognize the competence of the Committee to receive and consider communications.

29. The Committee invites the State party to consider ratifying the other core United Nations human rights treaties to which it is not yet party, namely the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, Convention on the Rights of Persons with Disabilities and its Optional Protocol; Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

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

31. The Committee requests the State party to provide, by 23 November 2014, follow-up information in response to the Committee's recommendations related to (a) eradication of widespread torture and ill-treatment, (b) eradication of harassment, arbitrary imprisonment and alleged torture of human rights defenders and (c) ensuring the respect of fundamental legal safeguards as contained in paragraphs 7, 8 and 13 of the present document. In addition, the Committee requests follow-up information on ensuring the investigation and prosecution of acts of torture and ill-treatment and ensuring that judges ask all defendants in criminal cases whether or not they were tortured or ill-treated in custody and order independent medical examinations whenever necessary, as contained in paragraphs 9 and 16 (b) of the present document.

32. The State party is invited to submit its next report, which will be the fifth periodic report, by 23 November 2017. To that purpose, the Committee invites the State party to accept, by 23 November 2014, to report under its optional reporting procedure, consisting in the transmittal, by the Committee to the State party, of a list of issues prior to the submission of the report. The response of the State party to this list of issues will constitute, under article 19 of the Convention, its next periodic report.
