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|  | United Nations |  | |
| _unlogo | **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** | |  |

**Committee against Torture**

Concluding observations on the initial report of the Niger

Concluding observations on the fifth periodic report of Uzbekistan

Concluding observations on the combined fifth and sixth periodic reports of Italy[[1]](#footnote-1)\*

1. The Committee against Torture considered the initial report of the Niger (CAT/C/NER/1) at its 1806th and 1809th meetings (see CAT/C/SR.1806 and 1809), held on 26 and 27 November 2019, and adopted the present concluding observations at its 1821st meeting, held on 5 December 2019.

The Committee against Torture considered the fifth periodic report of Uzbekistan (CAT/C/UZB/5) and the State party’s replies to its list of issues (CAT/C/UZB/Q/5/Add.1) at its 1786th and 1789th meetings (see CAT/C/SR.1786 and 1789), held on 12 and 13 November 2019, and adopted the present concluding observations at its 1809th meeting (CAT/C/SR.1809), held on 28 November 2019.

The Committee against Torture considered the combined fifth and sixth periodic reports of Italy (CAT/C/ITA/5-6) at its 1582nd and 1585th meetings (see CAT/C/SR.1582 and 1585), held on 14 and 15 November 2017, and adopted the present concluding observations at its 1605th and 1606th meetings, held on 29 and 30 November 2017.

A. Introduction

2. The Committee appreciates having had the opportunity to engage in a constructive dialogue with the State party’s delegation, and the responses provided to the questions and concerns raised during the consideration of the report.

B. Positive aspects

3. The Committee welcomes the ratification of or accession to the following international instruments by the State party:

(a) The International Convention for the Protection of All Persons from Enforced Disappearance, on 8 October 2015;

(b) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on 3 April 2013.

4. The Committee also welcomes the following legislative measures taken by the State party in areas of relevance to the Convention.

The Committee welcomes the State party’s initiatives to revise its legislation in areas of relevance to the Convention.

C. Principal subjects of concern and recommendations

Pending follow-up issues from the previous reporting cycle

Definition of torture

Definition and criminalization of torture

Statute of limitations

National human rights institution

Fundamental safeguards

Fundamental legal safeguards

Domestic violence

Trafficking in human beings

Inadmissibility of confessions obtained under torture

Pretrial detention

Non-refoulement

5. The State party should ensure full respect for the principle of non-refoulement enshrined in its legislation and in article 3 of the Convention, and therefore refrain from expelling, returning or extraditing a person to another State where there are substantial grounds to believe that he or she would be in danger of being subjected to torture or ill-treatment.

Detention pending deportation

Conditions of detention

Solitary confinement

Incommunicado detention

Deaths in custody

Excessive use of force

Investigations and prosecutions

Prompt, thorough and impartial investigations

6. The Committee urges the State party to:

(a) Ensure that all complaints of torture and 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 that is commensurate with the gravity of their acts;

(b) Ensure that the authorities launch investigations whenever there are reasonable grounds to believe that an act of torture or ill-treatment has been committed;

(c) Ensure that, in cases of alleged torture and/or ill-treatment, suspected perpetrators 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, commit reprisals against the alleged victim or obstruct the investigation;

(d) Compile disaggregated statistical information relevant to the monitoring of the Convention, including data on complaints, investigations, prosecutions and convictions in cases of torture and ill-treatment.

National mechanism for the prevention of torture

Independent monitoring of places of detention

Counter-terrorism measures and state of emergency

Training on the provisions of the Convention

Redress, including compensation and rehabilitation

7. The State party should ensure that all victims of torture and ill-treatment obtain redress, including an enforceable right to fair and adequate compensation and the means for as full a rehabilitation as possible. 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 elaborates on the nature and scope of the obligations of States parties under article 14 of the Convention to provide full redress to victims of torture. The State party should also provide the Committee with information on redress and on compensation measures, including means of rehabilitation, ordered by the courts or other State bodies and actually provided to victims of torture or ill-treatment.

Data collection

8. The Committee regrets the absence of comprehensive and disaggregated data on complaints, investigations, prosecutions and convictions in cases of torture and ill-treatment by law enforcement, security, military and prison personnel.

9. **The State party should compile statistical data relevant to the monitoring of the implementation of the Convention at the national level, including data on complaints, investigations, prosecutions and convictions related to cases of torture and ill-treatment, as well as on means of redress, including compensation and rehabilitation, provided to the victims.**

Follow-up procedure

10. The Committee requests the State party to provide, by 6 December 2018, information on follow-up to the Committee’s recommendations on the monitoring of immigration detention facilities and on the investigation and prosecution of instances of police brutality or excessive use of force (see paragraphs 27 and 39 above). 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

11. The Committee encourages the State party to consider making the declarations under article 22 of the Convention recognizing the competence of the Committee to receive and consider communications from individuals subject to its jurisdiction.

12. The Committee invites the State party to consider ratifying the core United Nations human rights treaties to which it is not yet party.

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13. 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.

14. The Committee requests the State party to submit its next periodic report, which will be its fourth, by 17 May 2023. For 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 is also invited to submit its common core document in accordance with the requirements contained in the harmonized guidelines on reporting under the international human rights treaties (HRI/GEN.2/Rev.6).

The Committee invites the State party to submit its next periodic report, which will be its second periodic report, by 6 December 2023. To that end, it invites the State party to agree, by 6 December 2020, to avail itself of the simplified reporting procedure in preparing that report. Under that procedure, the Committee will 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 second periodic report under article 19 of the Convention.

1. \* Adopted by the Committee at its sixty-second session (6 November–6 December 2017). [↑](#footnote-ref-1)