



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

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COMMITTEE AGAINST TORTURE  
Forty-first session  
Geneva, 3 - 21 November 2008

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 19 OF THE CONVENTION**

**Concluding observations of the Committee against Torture**

**KAZAKHSTAN**

1. The Committee considered the second periodic report of Kazakhstan (CAT/C/KAZ/2) at its 842nd and 845th meetings (CAT/C/SR.842 and CAT/C/SR.845), held on 6 and 7 November 2008, and adopted at its 858th meeting held on 18 November 2008 (CAT/C/SR.858), the following conclusions and recommendations.

**A. Introduction**

2. The Committee welcomes the submission of the second periodic report of Kazakhstan and the responses to the list of issues (CAT/C/KAZ/Q/2/Add.1) submitted by the State party. The Committee also wishes to welcome the open and constructive dialogue held with the high-level delegation.

**B. Positive aspects**

3. The Committee welcomes the recent ratification of the following international instruments:

- (a) The Optional Protocol to the Convention against Torture;
- (b) The declaration made under article 21 and 22 of the Convention against Torture in 2008 recognizing the competence of the Committee to receive and consider State and individual communications;
- (c) The International Covenant on Civil and Political Rights in 2006 and the signature of the first Optional Protocol thereto in 2007;
- (d) The International Covenant on Economic, Social and Cultural Rights in January 2006;

(e) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime in 2008.

4. The Committee welcomes the recent legislative measures taken by the State party since the consideration of its previous report, namely:

- (a) Enactment of articles 347-1 and 107 in the Criminal Code, addressing some of the elements in the definition of torture and cruel treatment and making it a specific criminal offence;
- (b) Amendment of article 116 of the Code of Criminal Procedure making statements obtained through the use of torture inadmissible as evidence;
- (c) Legislative amendments in 2003 making trafficking in human beings an offence under the Criminal Code and strengthening the power to investigate, prosecute, and convict traffickers.

5. The Committee also notes with satisfaction the following developments:

- (a) Establishment of the Office of the Human Rights Commissioner (Ombudsman) in 2002;
- (b) Establishment of a Central Public Monitoring Commission in 2005 and regional independent public monitoring commissions in 2004, with the authority to inspect detention facilities;
- (c) Reforms of the criminal justice system, decriminalization of a number of offences and the introduction of probation and community service and other forms of alternative sentencing, leading to a decrease in the total population incarcerated and the improvement of conditions of detention;
- (d) Preparation and distribution to all detainees of a pamphlet informing them of their rights, and public information on the reforms being carried out in correctional institutions;
- (e) Adoption of a national programme on combating violence against women in the police system at the regional level;
- (f) Development of a programme for the training of internal affairs officers in international human rights norms, aimed at the improvement of their professional skills, legal thinking and legal culture;
- (g) Reduction of the scope of the application of the death penalty, extension of the moratorium on death penalty in 2004, and amendment of the Criminal Code to introduce life imprisonment instead of capital punishment.

### C. Main subjects of concerns and recommendations

#### Definition of torture

6. While the Committee acknowledges the efforts made by the State party to enact new legislation incorporating the definition of torture of the Convention into domestic law, it remains concerned that the definition in the new article 347-1 of the Criminal Code does not contain all the elements of article 1 of the Convention, restricts the prohibition of torture to the actions of “public officials” and does not cover acts by “other persons acting in an official capacity”, including those acts that result from instigation, consent or acquiescence of a public official. The Committee notes further with concern that the definition of article 347-1 of the Criminal Code excludes physical and mental suffering caused as a result of “legitimate acts” on the part of officials (art. 1).

**The State party should bring its definition of torture fully into conformity with article 1 of the Convention, so as to ensure that all public officials can be prosecuted under article 347-1 of the Criminal Code and to make a distinction between acts of torture committed by or at instigation of or with consent or acquiescence of public official or any other person acting in an official capacity. The State party should also ensure that only pain or suffering arising from, inherent in or incidental to lawful sanctions are excluded from the definition.**

#### Torture and ill-treatment

7. The Committee is concerned about consistent allegations concerning the frequent use of torture and ill-treatment, including threat of sexual abuse and rape, committed by law enforcement officers, often to extract “voluntary confessions” or information to be used as evidence in criminal proceedings, so as to meet the success criterion determined by the number of crimes solved (arts. 2, 11 and 12).

**The State party should apply a zero-tolerance approach to the persistent problem of torture and cruel, inhuman or degrading treatment or punishment, in particular:**

- (a) **Publicly and unambiguously condemn practices of torture in all its forms, directing this especially to police and prison staff, accompanied by a clear warning that any person committing such acts or otherwise complicit or participating in torture or other ill-treatment be held responsible before the law for such acts and subject to penalties proportional with the gravity of their crime;**
- (b) **Establish and promote an effective mechanism for receiving complaints of sexual violence, including in custodial facilities, and ensure that law enforcement personnel are trained on the absolute prohibition of sexual violence and rape in custody, as a form of torture, as well as on receiving such type of complaints;**
- (c) **Change the performance evaluation system of investigators so as to eliminate any incentive for obtaining confessions and take additional measures in the field of human rights education of police officers.**

8. The Committee is particularly concerned about allegations of torture or other ill-treatment in temporary detention isolation facilities (IVSs) and in investigation isolation facilities (SIZOs) under the jurisdiction of the Ministry of Internal Affairs or National

Security Committee (NSC), especially in the context of national and regional security and anti-terrorism operations conducted by the NSC. The Committee notes with particular concern reports that the NSC has used counter-terrorism operations to target vulnerable groups or groups perceived as a threat to national and regional security, such as asylum-seekers and members or suspected members of banned Islamic groups or Islamist parties (art. 2).

**The State party should transfer detention and investigation facilities currently under the jurisdiction of the Ministry of Internal Affairs or National Security Committee to the Ministry of Justice and guarantee that Public Monitoring Commissions have the unlimited right to conduct unannounced visits to these facilities at their own initiative. The State party should also ensure that the fight against terrorism does not lead to breaches of the Convention nor impose undue hardship on vulnerable groups.**

#### **Insufficient safeguards governing initial period of detention**

9. The Committee is deeply concerned at allegations that torture and ill-treatment of suspects commonly takes place during the period between apprehension and the formal registration of detainees at the police station, thus providing them with insufficient legal safeguards. The Committee notes in particular:

- (a) the failure to acknowledge and record the actual time of apprehension of a detainee, as well as unrecorded periods of pre-trial detention and investigation;
- (b) Restricted access to lawyers and independent doctors and failure to notify detainees fully of their rights at the time of apprehension;
- (c) The failure to introduce, through the legal reform of July 2008, habeas corpus procedure in full conformity with international standards (art. 2).

**The State party should promptly implement effective measures to ensure that a person is not subject to de facto unacknowledged detention and that all detained suspects are afforded, in practice, all fundamental legal safeguards during their detention. These include, in particular, from the actual moment of deprivation of liberty, the right to access a lawyer and an independent medical examination, to inform a relative and to be informed of their rights, including as to the charges laid against them, as well as being promptly presented to a judge. The State party should ensure that all detained persons are guaranteed the ability to challenge effectively and expeditiously the lawfulness of their detention through habeas corpus.**

10. The Committee expresses concern that the right of an arrested person to notify relatives of his/her whereabouts may be postponed for 72 hours from the time of detention, in the case of so-called “exceptional circumstances” (art. 2).

**The State party should amend article 138 of the Code of Criminal Procedure so as to ensure that no exceptional circumstances may be invoked for postponing the exercise of the right of a detainee to inform a relative of his/her whereabouts.**

11. The Committee notes with concern the Government's acknowledgement of frequent violations of the Code of Criminal Procedure by State party officials as regards the conduct of an interrogation within a 24-hour period, detention prior to the institution of criminal proceedings, notification of relatives of the suspect or accused person of that person's detention within 24 hours, and the right to counsel. The Committee is also concerned that most of the rules and instructions of the Ministry of Interior, the Prosecutor's Office and especially the National Security Committee are classified as "for internal use only" and are not in the realm of public documents. These rules leave many issues to the discretion of the officials, which results in claims that, in practice, detainees are not always afforded the rights of access to fundamental safeguards (art. 2).

**The State party should ensure that all rules and instructions with regard to the custody, detention and interrogation of persons subjected to any forms of arrest or detention are made public. The State party should further ensure that every detainee can exercise the right to access a lawyer, an independent doctor and contact a family member to ensure effective protection from torture and ill-treatment from the moment of apprehension.**

12. The Committee notes with concern reports that law enforcement bodies sometimes use illegal investigation methods during interrogations of minors, such as threats, blackmailing and sometimes even physical abuse. Such interrogations are allegedly often conducted in the absence of the parents or teacher of the minor, although their presence is required by law. The Committee is further concerned at reports that juveniles may be held in pre-trial detention for prolonged periods and that they are often not granted the right to receive relatives during that period (arts. 2 and 11).

**The State party should increase its efforts to bring legislation and practice as regards the arrest, detention and interrogation of juvenile offenders fully in line with internationally adopted principles. The State party should, inter alia, ensure training of law enforcement personnel to raise their professional qualification in working with juveniles, ensure that deprivation of liberty, including pre-trial detention, is the exception and is used for the shortest time possible and develop and implement alternatives to deprivation of liberty.**

13. The Committee is concerned that article 14 of the Code of Criminal Procedure provides for forced placement of suspects and defendants at the stage of pre-trial investigation in medical institutions in order to conduct a forensic psychiatric expert evaluation. The Committee notes with further concern that the grounds for making such a decision are subjective and that the law fails to regulate the maximum duration of forced placement into a medical institution, as well as to guarantee the right to be informed of and to challenge methods of medical treatment or intervention (art. 2).

**The State party should amend the Code of Criminal Procedure so as to ensure that compulsory placement of suspects and defendants at the stage of pre-trial investigation into medical facilities to conduct forensic psychiatric expert evaluation must be pursuant to a court decision and based on objective criteria. The State party should also ensure that the duration of such placement is limited by law and that suspects and defendants have the right to be informed of and to challenge methods of medical treatment or intervention.**

#### **Non-refoulement**

14. The Committee is concerned at the lack of a legislative framework regulating expulsion, refoulement and extradition. Even if fewer extraditions have been reported since 2005, the Committee is concerned at the fact that the State party's current expulsion, refoulement and extradition procedures

and practices may expose individuals to the risk of torture. In particular, the Committee notes with concern allegations that the Minsk Convention on Legal Assistance for Persons from the Commonwealth of Independent States (CIS) does not protect CIS citizens who might have valid claims for refugee status from refoulement (arts. 3 and 8).

**The State party should adopt a legislative framework regulating expulsion, refoulement and extradition in fulfilment of its obligation under article 3 of the Convention. The State party should ensure that priority is given to the provisions of the Convention over any less protective bilateral or multilateral agreements on extradition and guarantee that persons whose application for asylum have been rejected can lodge an effective appeal. The State party should also ensure that its obligations under article 3 of the Convention are fully implemented whenever a person is subjected to expulsion, refoulement and extradition.**

15. The Committee is concerned at credible reports that individuals have not been afforded the full protection provided for by article 3 of the Convention in relation to expulsion, return or deportation to neighbouring countries in the name of regional security, including the fight against terrorism. The Committee is particularly concerned at allegations of forcible return of asylum-seekers from Uzbekistan and from China and the unknown conditions, treatment and whereabouts of persons returned following their arrival in the receiving country (art. 3).

**The State party should ensure that no person is expelled, returned or extradited to a country where there are substantial grounds for believing that he/she would be in danger of being subjected to torture and that persons whose applications for asylum have been rejected can lodge an effective appeal with suspensive effect. The State party should also provide the Committee with statistical data, disaggregated by country of origin, about the number of persons who requested asylum, the status of the determination on those requests, and the number of persons subjected to expulsion, refoulement and extradition.**

16. The Committee is concerned at the existence of a bilateral agreement between Kazakhstan and the United States of America whereby United States nationals present in the territory of Kazakhstan cannot be transferred to the International Criminal Court to be tried for war crimes or crimes against humanity (art. 9).

**The State party should take appropriate measures to review the terms of this agreement which prevents the transfer of United States nationals from the territory of Kazakhstan to the International Criminal Court, in accordance with the provisions of the Convention. The State party should also consider ratifying the Rome Statute of the International Criminal Court.**

### **Appropriate penalties**

17. The Committee expresses concern that sentences of those convicted under Part 1 of article 347-1 of the Criminal Code are not commensurate with the gravity of the offence of torture as required by the Convention (art. 4).

**The State party should amend Part 1 of article 347-1 of the Criminal Code to ensure that all punishment for acts of torture are at a level commensurate with the gravity of the**

**crime, in accordance with the requirements of the Convention. Suspected perpetrators should, as a rule, be subject to suspension or reassignment during the process of investigation. Perpetrators subjected to disciplinary penalties should not be permitted to remain on their posts.**

18. The Committee is also concerned that despite the criminalization of torture in 2002 in a separate article of the Criminal Code, it appears that when prosecuted, law enforcement officials continue to be charged with article 308 or 347 of the Criminal Code (“Excess of authority or official power” or “Coercion to make a confession” respectively) (art. 7).

**The State party should ensure that all acts of torture are prosecuted under the relevant article of the Criminal Code and that they are not considered as crimes of minor or moderate gravity and sentenced as such. The State party should also ensure that continuous training is mandatory for all sitting judges, prosecutors and lawyers to ensure implementation of new laws and amendments.**

### **Universal jurisdiction**

19. The Committee is concerned that the State party can only establish its jurisdiction over acts of torture committed abroad by its nationals when the alleged offender is present in its territory or when the State party where the offence was committed apply a punishment for such acts of five years at least. In this respect, the Committee is concerned that this may lead to impunity when the country where the offence is committed is not a party to the Convention, or does not have a specific offence of torture in its legislation, or sanctions it with penalties of less than five years (art. 5).

**In order to avoid impunity, the State party should consider the double criminality requirement for the crime of torture and apply the *aut dedere aut judicare* principle when an alleged offender of acts of torture committed abroad is present in its territory, in accordance with article 5, paragraph 2, of the Convention.**

### **Training of personnel**

20. The Committee regrets the paucity of information provided by the State party on training of law enforcement officials, penitentiary staff and medical personnel regarding the provisions of the Convention (art. 10).

**The State party should provide detailed information on the training provided to all law enforcement personnel and prison’s staff specifically on the provisions of the Convention and the United Nations Standard Minimum Rules for the Treatment of Prisoners. The State party should also provide information on specific training provided to its medical personnel dealing with detainees on how to identify signs of torture and ill-treatment in accordance with international standards, as outlined in the Istanbul Protocol. In addition, the State party should develop and implement a methodology to assess the effectiveness and impact of its training/educational programmes on cases of torture and ill-treatment and provide information about gender specific trainings.**

### **Detention and places of deprivation of liberty**

21. The Committee welcomes the successful reform of much of the Kazakh penitentiary system through the adoption of programmes conducted in close cooperation with international and national organizations as well as the enactment of new laws and regulations. It further notes that this reform resulted in a decrease of the rate of pre-trial detention, an increased use of alternative sanctions to imprisonment, more humane conditions of detention, and a marked improvement in the conditions of detention in post-conviction detention facilities. However, the Committee remains concerned at:

- (a) The deterioration of prison conditions and stagnation in the implementation of penal reforms since 2006;
- (b) Persistent reports of abuse in custody;
- (c) Poor conditions of detention and persistent overcrowding in detention facilities;
- (d) Excessive use of isolation with regards to pre-trial detainees and prisoners and lack of regulation of the frequency of such isolation;
- (e) Instances of group self-mutilation by prisoners reportedly as a form of protest for ill-treatments;
- (f) Lack of access to independent medical personnel in pre-trial detention centres and the reported failure to register signs of torture and ill-treatment or to accept detainee's claims of torture and ill-treatment as the basis for an independent medical examination;
- (g) Persistent high incidence of death in custody, in particular in pre-trial detention (e.g. the case of the former KNB General Zhomart Mazhrenov) some of which are alleged to have followed torture or ill-treatment (art.11).

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

- (a) **Adopt a programme for further development of the penal correction system similar to the one for the period 2004-2006m in order to bring the system into full conformity with the United Nations Standard Minimum Rules for the Treatment of Prisoners;**
- (b) **Continue to train specialists in the penitentiary system and ensure that all persons in contact with detainees are familiar with international standards in the field of human rights protection and the treatment of prisoners;**
- (c) **Reduce overcrowding of places of detention, including through the building of new detention facilities and the application of alternative measures to imprisonment, as provided by the law;**
- (d) **Limit the use of isolation as a measure of last resort, for as short a time as possible under strict supervision and with a possibility of judicial review;**



- (e) **Identify reasons leading prisoners to committing such desperate acts as self-mutilation and provide appropriate remedies;**
- (f) **Establish a health service independent from the Ministry of Internal Affairs and Ministry of Justice to conduct examinations of detainees upon arrest and release, routinely and at their request, and ensure that judges deal with evidence of torture and ill-treatment of detainees and order independent medical examinations or return cases for further investigation; and**
- (g) **Ensure that all instances of death in custody are promptly, impartially and effectively investigated and that those found responsible for any deaths resulting from torture, ill-treatment or wilful negligence leading to any of these deaths are prosecuted.**

### **Independent monitoring of places of detention**

22. While welcoming the creation in 2004 of the Central Public Monitoring Commission and in 2005 of regional independent public monitoring commissions with the power to inspect detention facilities, the Committee remains concerned that their access to IVSs is neither automatic nor guaranteed and that their access to medical institutions has yet to be considered. Furthermore, it has been reported that the commissions have not been granted the right to make unannounced visits to detention facilities, that they are not always given unimpeded and private access to detainees and prisoners, and that some inmates have been subjected to ill-treatment after having reported to the commissions' members (arts. 2 and 11).

**The State party should guarantee that the commissions have the unrestricted right to conduct unannounced visits to all places of detention in the country at their own initiative, including medical institutions, and it should ensure that detainees who report to commissions' members are not subjected to any form of reprisal. The State party should also speedily establish or designate a national preventive mechanism for the prevention of torture and take all necessary measures to ensure its independence, in accordance with the provisions of the Optional Protocol of the Convention.**

23. The Committee welcomes the creation of the Human Rights Commissioner (Ombudsman) in 2002 with a broad mandate and notably the competence to consider communications of human rights violations and to conduct visits of places of deprivation of liberty. The Committee notes however with concern that the ombudsman's competencies are substantially limited and that it lacks independence due to the fact that it does not have its own budget. The Committee notes with further concern that the mandate of the Human Rights Commissioner does not empower it to investigate action taken by the Prosecutor's office (arts. 2,11,13).

**The State party should transform the Human Rights Commissioner into a full-fledged national human rights institution, operating on the basis of a law adopted by Parliament, with adequate human, financial and other resources and in conformity with the Paris Principles.**

**Prompt and impartial investigation**

24. The Committee notes with concern that the preliminary examinations of reports and complaints of torture and ill-treatment by police officers are undertaken by the Department of Internal Security, which is under the same chain of command as the regular police force, and consequently do not lead to prompt and impartial examinations. The Committee notes with further concern that the lengthy period for preliminary examination of torture complaints, which can last up to two months, may prevent timely documentation of evidence (art. 12).

**The State party should adopt measures to ensure in practice prompt, impartial and effective investigations into all allegations of torture and ill-treatment and the prosecution and punishment of those responsible, including law enforcement officials and others. Such investigations should be undertaken by a fully independent body.**

**Independence of the judiciary**

25. While noting with satisfaction the introduction of many fundamental legislative amendments, the Committee remains concerned about allegations, as reported by the Special Rapporteur on the independence of judges and lawyers in 2005(see E/CN.4/2005/60/Add.2), of a lack of independence of judges since the designation of *oblast* and *rayon* judges rests entirely with the President (art. 2).

**The Committee reiterates its previous recommendation (A/56/44, para. 129 (e)) that the State party should guarantee the full independence and impartiality of the judiciary, inter alia, by guaranteeing separation of power.**

26. While welcoming the adoption of a recent legal amendment transferring the power of issuing arrest warrants to courts solely, the Committee expresses concern, however, at the preeminent role performed by the Procuracy. The Committee reiterates the concerns expressed in its previous concluding observations (A/56/44, para. 128(c)) regarding the insufficient level of independence and effectiveness of the Procurator, in particular due to its dual responsibility for prosecution and oversight of proper conduct of investigations and failure to initiate and conduct prompt, impartial and effective investigations into allegations of torture and ill-treatment (arts. 2 and 12).

**The State party should, as a matter of priority, pursue its efforts to reform the Procuracy, in particular by amending article 16(2) of the Constitution, its Criminal Code and its Criminal Procedure Code so as to reduce the procurator's dominating role throughout the judicial process and secure a fairer balance between the respective roles of the prosecutor, the defence counsel and the judge. The State party should establish effective and independent oversight mechanisms to ensure prompt, impartial and effective investigations into all reported allegations of torture and ill-treatment, and legal prosecution and punishment of those found guilty.**

27. The Committee notes with concern the report by the Special Rapporteur on the independence of judges and lawyers that defence lawyers lack adequate legal training and have very limited powers to collect evidence, which conspires to hamper their capacity to counterbalance the powers of the Prosecutor and impact on the judicial process. The Committee notes with further concern allegations that the procedure of appointing a lawyer lacks transparency and independence (arts. 2 and 7).

**The Committee reiterates its previous recommendation (A/56/44, para. 129(f)) that the State party should take measures to permit defence counsel to gather evidence and to be involved in the case from the very start of the detention period. The State party should also guarantee the independence and quality of State-funded legal aid and continue to improve the level of legal education and introduce continuous legal education and training so as to raise the level of professionalism of lawyers.**

### **Compensation and rehabilitation**

28. While welcoming the information provided by the delegation that victims of torture have the possibility to be compensated, the Committee is concerned, nevertheless, at the lack of examples of cases in which the individual received such compensation, including medical or psychosocial rehabilitation.

**The State party should provide compensation, redress and rehabilitation to victims, including the means for as full rehabilitation as possible, and provide such assistance in practice.**

### **Evidence obtained through torture**

29. While welcoming the assurance given by the delegation that judges reject such evidence in court proceedings, the Committee notes however with grave concern reports that judges often ignore the complaints of torture and ill-treatment, do not order independent medical investigations, and often proceed with the trials, therefore not respecting the principle of non-admissibility of such evidence in every instance (art.15).

**As recommended in the previous concluding observations of the Committee (A/56/44, para. 129(d)), the State party should take immediate steps to ensure that in practice evidence obtained by torture may not be invoked as evidence in any proceedings. The State party should review cases of convictions based on confessions that may have been obtained through torture or ill-treatment, and ensure adequate compensation to victims and prosecution of those responsible.**

### **Violence against women**

30. The Committee expresses its concern at the prevalence of violence against women in Kazakhstan, in particular domestic violence. The Committee notes that a draft law on domestic violence is being elaborated but it expresses concern that its adoption has been delayed. The Committee notes the lack of information about prosecutions of persons in connection with cases of violence against women (arts. 2, 7 and 16).

**The State party should ensure protection of women by speedily enacting the draft law on domestic violence and adopting measures to prevent in practice such violence. The State party should cooperate with non-governmental crisis centres for women and provide for protection of victims, access to medical, social and legal services and temporary accommodation. Perpetrators should also be punished in accordance with the gravity of the act of torture or ill-treatment.**

### **Trafficking in human beings**

31. While noting with satisfaction legislative measures taken in the field of trafficking in human beings and the adoption of a National Plan of Action on Trafficking for 2006-2008, the Committee remains concerned at the prevalence of the phenomenon in the State party (arts. 2, 7, 12 and 16).

**As recommended by the Committee on the Elimination of Discrimination against Women in 2007 (CEDAW/C/KAZ/CO/2, para. 18), the State party should ensure that legislation on trafficking is fully enforced and that the National Plan of Action is fully implemented. The State party should also continue its efforts to investigate, prosecute, convict and punish persons found responsible, including government officials complicit in trafficking.**

### **Data Collection**

32. While noting that some statistics have been provided, the Committee regrets the lack of comprehensive and disaggregated data on complaints, investigations, prosecutions and convictions of cases of torture and ill-treatment by law enforcement officials, as well as on the incidence of trafficking and sexual violence and on the number of prosecutions of persons in this connection. The Committee notes also the insufficient information on the training provided to law enforcement officials as regards the provisions of the Convention.

**The State party should provide detailed statistical data in its next periodic report, disaggregated by gender, ethnicity or nationality, age, geographical region and type and location of place of deprivation of liberty, on complaints related to cases of torture and other ill-treatment, including those rejected by the courts, as well as related investigations, prosecutions and disciplinary and penal sanctions, and on the compensation and rehabilitation provided to the victims. The State party should also provide further information on the incidence of trafficking and sexual violence, as well as on training provided to all State's officials regarding the provisions of the Convention.**

33. The State party is encouraged to consider becoming a party to the core United Nations human rights treaties to which it is not yet a party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Convention on the Rights of Persons with Disabilities. The State party is also encouraged to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

34. The Committee invites the State party to submit its core document in accordance with the requirements of the common core document in the harmonized guidelines on reporting, as approved by the international human rights treaty bodies and contained in document HRI/GEN/2/Rev.5.

35. The State party is encouraged to disseminate widely the reports it submitted to the Committee, its replies to the list of issues and the concluding observations of the Committee, in all appropriate languages, through official websites, the media and non-governmental organizations.

36. The Committee requests the State party to provide, within one year, information on its response to the Committee's recommendations contained in paragraphs 7, 9, 18 and 29 above.

37. The State party is invited to submit its next periodic report, which will be considered as its third periodic report, by 21 November 2012.

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