

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

**Concluding observations of the Committee against Torture**  
*(Extracts for follow-up of CAT/C/CPV/CO/1)*

**CABO VERDE**

(...)

**C. Principal subjects of concern and recommendations**

(...)

**Fundamental legal safeguards**

(...)

**17. The State party should:**

(a) **Provide information on the legislative and administrative measures taken to guarantee that detained persons are afforded, in law and in practice, all the fundamental legal safeguards from the very outset of deprivation of liberty, in particular, the right to access to a medical examination by an independent doctor;**

(b) **Monitor the compliance with the legal safeguards by all public officials and penalize any failure on the part of officials to comply;**

(c) **Provide the Committee with information on the number of complaints received regarding failure to respect such safeguards and on the outcome of those complaints;**

(d) **Provide information on the establishment of a central register of all persons deprived of their liberty, the type of information recorded and the measures taken to ensure accurate record-keeping.**

(...)

**Alleged police brutality**

(...)

**21. The State party should:**

(a) **Take appropriate measures to further strengthen the supervision and monitoring mechanisms of the police force, particularly with regard to the treatment of persons under custody;**

(b) Ensure that all complaints of police brutality or excessive use of force 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 suspected perpetrators of such acts and that the suspected perpetrators are duly tried and, if found guilty, are punished in a manner that is commensurate with the gravity of their acts;

(c) Ensure that the authorities launch investigations on their own initiative whenever there are reasonable grounds to believe that an act of police brutality or excessive use of force has been committed;

(d) Inform the Committee about the number of complaints received related to police brutality and excessive use of force by the police, disaggregated by ethnic group, age and sex of the victim, and about the criminal and disciplinary investigations resulting from those complaints, including those initiated ex officio, as well as the prosecutions, convictions and criminal and disciplinary penalties imposed;

(e) Inform the Committee about the scope of the mandate of the National Police Council and the National Police Disciplinary Board, as well as how the independence of those bodies is guaranteed and how those bodies relate to the Public Prosecutor's Office when they are conducting criminal and disciplinary investigations;

(f) Ensure that alleged perpetrators of police brutality or excessive use of force are immediately suspended from duty 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, to commit reprisals against the alleged victim or to obstruct the investigation, while also ensuring that the principle of presumption of innocence is observed.

(...)

#### **National Commission for Human Rights and Citizenship**

(...)

27. The Committee recommends that the State party accelerate the review process of the statute of the National Commission for Human Rights and Citizenship in order to reinforce its independence, resources and infrastructure and enable it to fully execute its mandate, in accordance with the Paris Principles. The State party should also speed up the creation of a national preventive mechanism and ensure that it has the necessary resources to fulfil its mandate independently and effectively throughout its territory, in accordance with the Optional Protocol to the Convention and the guidelines on national preventive mechanisms (see CAT/OP/12/5, paras. 7, 8 and 16). The State party should provide the Committee with information regarding the timeline for the adoption of the new statute of the National Commission for Human Rights and Citizenship and the creation of the national preventive mechanism and information on the implementation of the recommendations of the Commission and other monitoring organizations by the national authorities.

(...)

### **Follow-up procedure**

**46. The Committee requests the State party to provide, by 7 December 2017, information on follow-up to the Committee's recommendations on fundamental legal safeguards, police brutality and the independence of the National Commission for Human Rights and Citizenship (see paras. 17, 21 and 27 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.**

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