

**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/AND/CO/1)

ANDORRA

(...)

C. Principal subjects of concern and recommendations

(...)

Fundamental legal safeguards

8. The Committee notes that, according to the information before it, there have been no complaints concerning torture. With regard to measures to guarantee the fundamental rights of persons deprived of their liberty, the Committee is concerned that in certain cases persons deprived of their liberty do not have access to a doctor of their choice, even at their own expense, from the very outset of their deprivation of liberty (arts. 2 and 16).

The State party should guarantee that all persons deprived of their liberty have the right to receive a medical examination by an independent doctor, if possible a doctor of their choice, from the outset of their deprivation of liberty.

(...)

Violence against women

13. The Committee is concerned at the absence of specific legislation prohibiting all forms of violence against women and children, including domestic and sexual violence, as well as marital rape, and at the low number of investigations, prosecutions and convictions of the perpetrators of acts of violence against women (arts. 2, 12, 13, 14 and 16).

The State party should :

(...)

(c) Sensitize and train law enforcement personnel and judicial officials in the Public Prosecutor's Office in investigating and prosecuting cases of domestic violence and conduct awareness-raising campaigns for the general public;

(...)

Electrical discharge weapons

19. While noting that electrical discharge weapons (such as “tasers”) have been used in very few instances, the Committee is concerned that they have been used in closed settings such as prisons and are included in the standard equipment of prison staff (arts. 2, 11 and 16).

The State party should ensure that the regulations concerning the use of electrical discharge weapons are modified so that they are not part of the standard equipment for prison staff and can be used exclusively in extreme and limited situations where there is a real and immediate threat to life or risk of serious injury, as a substitute for lethal weapons and by trained law enforcement personnel only. The State party should revise the regulations governing the use of such weapons, with a view to establishing a high threshold for their use and expressly prohibiting their use on children and pregnant women. The Committee is of the view that the use of electrical discharge weapons should be subject to the principles of necessity and proportionality and should be inadmissible in the equipment of custodial staff in prisons or any other places of deprivation of liberty. The Committee urges the State party to provide detailed instructions and adequate training to law enforcement personnel entitled to use electrical discharge weapons and to strictly monitor and supervise their use.

(...)

24. The Committee requests the State party to provide, by 22 November 2014, follow-up information in response to the Committee’s recommendations relating to: (a) access to a doctor of their own choice for persons deprived of their liberty from the outset of deprivation of liberty; (b) sensitizing and training law enforcement personnel and judicial officials; and (c) strictly monitoring and supervising the use of electrical discharge weapons, as contained in paragraphs 8, 13 (c) and 19 respectively of the present document.

(...)
