

**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/MCO/CO/6)

MONACO

(...)

C. Principal subjects of concern and recommendations

(...)

Non-refoulement

(...)

13. For the purpose of ensuring legal certainty, the State party should ensure that the procedures applicable to asylum seekers and the procedure for cooperation with OFPRA are made clearer and accessible to all. In addition, the Committee would like to receive data on the number of applications submitted to and examined by OFPRA and the number of cases in which the Monegasque authorities have accepted or rejected the opinions of OFPRA and the reasons for doing so. The Committee would also like to know how many expulsion orders have been appealed since 2011 and whether these appeals have had a suspensive effect during the deliberations of the Supreme Court. The Committee reiterates its previous recommendations (CAT/C/MCO/CO/4-5, para. 9) and urges the State party to establish a mechanism for following up on the cases of asylum seekers dealt with by OFPRA.

(...)

Monitoring of the conditions of transferred detainees

(...)

19. The State party should take urgent measures to:

(a) **Ensure that Monegasque enforcement judges may conduct follow-up visits of prisoners serving their sentences in France and submit the reports on these visits to the Committee;**

(b) **Formally establish by law the need to obtain the explicit consent of a person convicted in Monaco to his or her transfer to France, in accordance with the Committee's previous recommendations (CAT/C/MCO/CO/4-5, para. 10);**

(c) Implement the procedure for the exchange of administrative letters between the French Ministry of Justice and the Monegasque Director of Judicial Services.

(...)

Follow-up procedure

24. The Committee requests the State party to provide, by 7 December 2017, information on follow-up to the Committee's recommendations set out in paragraphs 13 and 19. In the same 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.

(...)
