



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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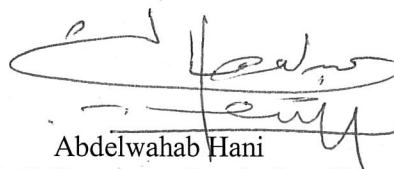
Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the United Nations Committee against Torture, I refer to the consideration by this Committee, in the absence of the initial report of the State party, of the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Antigua and Barbuda. At the end of its 61st session, held from 24 July to 11 August 2017, the Committee's concluding observations (CAT/C/ATG/CO/1) were transmitted to your Permanent Mission. In paragraph 49 of those concluding observations, the Committee requested, pursuant to its rules of procedure, that the State party provide, within one year, by 11 August 2018, further information regarding areas of particular concern identified by the Committee in paragraphs 18, 22, 26, 28 (b), (c), (d), (e) and (f) and 38 (a), (c) and (d). It also invited the State party to provide information about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations included in its concluding observations (see extracts annexed).

The Committee has adopted a follow-up procedure to pursue issues that are serious, that can be accomplished by the State party in a one year period, and that are protective (see, doc. CAT/C/55/3).

The information sought by the Committee has not been provided yet, although more than one year has elapsed from the transmittal of the Committee's concluding observations. Accordingly, I would be grateful for clarification as to the current status of your Government's responses on the matters, and as to when the information requested will be forthcoming. A Word electronic version of the reply should be sent to the Secretariat of the Committee against Torture (cat@ohchr.org). Upon receipt of this information, the Committee will be able to assess whether further action is needed.

Accept, Excellency, the assurances of my highest consideration.



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Committee against Torture

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**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/ATG/CO/1)

ANTIGUA AND BARBUDA

(...)

C. Principal subjects of concern and recommendations

(...)

Fundamental legal safeguards

(...)

18. The State party should:

(a) **Afford all detainees, in law and in practice, all fundamental legal safeguards from the outset of the deprivation of liberty, including the right to promptly access a lawyer, free of charge in the case of indigent persons; to receive free interpretation services; to notify a relative or other person of their choice about the detention or arrest; to be heard by a magistrate within 48 hours of detention; and to request and receive a medical examination by an independent doctor, which should be conducted out of the hearing and sight of public officials;**

(b) **Promptly record all deprivations of liberty in a comprehensive national detention register;**

(c) **Systematically monitor the compliance of all public officials with the legal safeguards and penalize any failure on the part of officials to comply;**

(d) **Inform the Committee of the number of complaints received in regard to the failure to respect such safeguards and on the outcome of those complaints.**

(...)

Conditions of detention

(...)

22. The State party should take measures to bring the operational procedures in the prison into compliance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the Principles and Best Practices on the Protection of Persons

Deprived of Liberty in the Americas, adopted by the Inter-American Commission on Human Rights in 2008. In particular, it should:

(a) Reduce the level of overcrowding, including by increasing detention capacity and using alternatives to imprisonment in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);

(b) Promptly improve material conditions in detention facilities, including with regard to the temperature and ventilation in prison cells, and guarantee prisoners access to adequate food and running water;

(c) Provide adequate health services to prisoners, particularly those with psychosocial disabilities, and conduct a thorough and independent medical examination of all detainees, both at the outset of detention and on a regular basis throughout the duration of detention;

(d) Ensure that prisoners are able to file a complaint with an independent body regarding their conditions of detention and/or torture and ill-treatment, including sexual violence, and that such complaints are promptly, impartially and thoroughly investigated.

(...)

National human rights institution

(...)

26. The State party should strengthen the mandate of the Office of the Ombudsman, particularly with regard to handling complaints of torture and ill-treatment, and allocate sufficient resources for its independent operation. Furthermore, it should ensure the establishment of a national human rights institution in full compliance with the Paris Principles.

(...)

Refugees and non-refoulement

(...)

28. The State party should:

(...)

(b) Establish an asylum procedure that allows for an individualized assessment of each case to be carried out;

(c) Develop a screening process to identify, as early as possible, vulnerable persons such as victims of torture and trafficking and provide them with medical and psychological examinations, priority access to the asylum determination procedure and appropriate treatment;

(d) Formalize the mandate and authority of the ad hoc eligibility committee with a view to giving the necessary legal effect to its recommendations;

(e) Provide the Committee with disaggregated information on the number of successful asylum applications in relation to the total number of requests and on the cases of refoulement and expulsions, including where applicants expressed their fear of torture upon return;

(...)

Violence against women, including domestic and sexual violence

(...)

38. The Committee urges the State party to:

(a) Ensure that all cases of violence against women, including domestic and sexual violence, are registered by the police and promptly, thoroughly and impartially investigated and that those accused are prosecuted and, if found guilty, punished with sanctions proportionate to the gravity of their acts;

(c) Provide specialized training for law enforcement and judicial officials on dealing with cases of violence against women, including sexual violence against children, as well as on identifying and providing redress to victims;

(d) Ensure that victims of violence against women, including child victims, obtain appropriate redress, including medical and legal services, as set out in the Committee's general comment No. 3.

(...)

Follow-up procedure

49. The Committee requests the State party to provide, by 11 August 2018, information on follow-up to the Committee's recommendations contained in paragraphs 18, 22, 26, 28 (b), (c), (d), (e) and (f) and 38 (a), (c) and (d). 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.

(...)