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REFERENCE: jmn/mm/fg/follow-up/CAT

17 February 2006

Mr. Ambassador,

In my capacity as Rapporteur for follow-up on Conclusions and Recommendations of the United Nations Committee against Torture, I refer to the examination of the third periodic report of Croatia (CAT/C/54/Add.3) by this Committee, at its 32nd session, from 3 to 21 May 2004. At the end of that session, the Committee's Conclusions and Recommendations (CAT/C/CR/32/3) were transmitted to your Permanent Mission. In paragraph 11 of those Conclusions and Recommendations, the Committee asked, pursuant to its rules of procedures, that Croatia provide, within one year (by May 2005), further information regarding areas of particular concern identified by the Committee in paragraph 9 (a), (b), (f), (n) and (p) (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.

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 Conclusions and Recommendations. 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. Upon receipt of this information, the Committee will be able to assess whether further action is needed.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Croatia on the implementation of the Convention. In this context, the Committee seeks to receive your response to this enquiry.

Accept, Mr. Ambassador, the assurances of my highest consideration.

A handwritten signature in cursive script, reading "Felice D. Gaer".

Felice D. Gaer
Rapporteur for Follow-up on Conclusions and Recommendations
Committee against Torture

H.E. Mr. Gordan Markotic
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**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Conclusions and recommendations of the Committee against Torture
(Extracts for follow-up)

CROATIA

(...)

D. Recommendations

9. The Committee recommends that the State party:

(a) Take effective measures to ensure impartial, full and prompt investigations into all allegations of torture and other cruel, inhuman or degrading treatment, the prosecution and punishment of the perpetrators as appropriate and irrespective of their ethnic origin, and the provision of fair and adequate compensation for the victims;

(b) Ensure full cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY), inter alia by ensuring that all indicted persons in their territory are arrested and transferred to the custody of the Tribunal;

(...)

(f) Adopt all necessary measures to improve the material conditions of the reception centres for asylum-seekers and immigrants and ensure the physical and psychological integrity of all individuals accommodated in these centres;

(...)

(n) Provide information to the Committee on legal and other measures undertaken to ensure the systematic review of interrogation rules, instructions, methods and practices for persons deprived of their liberty;

(...)

(p) Provide to the Committee statistical data regarding cases of torture and other forms of cruel, inhuman or degrading treatment or punishment reported to administrative authorities and the result of the investigations, disaggregated by, inter alia, gender, ethnic group, geographical region, and type and location of place of deprivation of liberty, where it occurred. In addition, information should be provided regarding complaints and cases filed with domestic courts, including the results of investigations and the consequences for the victim in terms of redress and compensation.

(...)

11. The Committee requests that the State party provide, within one year, information on its response to the Committee's recommendations contained in paragraph 9 (a), (b), (f), (n) and (p) above.
