

**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/SOM/CO/1)*

**SOMALIA**

(...)

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

(...)

**Definition and criminalization of torture**

(...)

8. **The Committee urges the State party to establish in its national law a definition and criminalization of torture that confirms fully with article 1 of the Convention, and that penalties for the crime of torture are commensurate with the gravity of the crime, as set out in article 4 (2) of the Convention. The State party should also ensure that the offence of torture is not subject to any statute of limitations. The State party should ensure that the principle of the absolute prohibition of torture is incorporated into its legislation and that it is strictly applied, in accordance with article 2 (2) of the Convention, and that, in accordance with article 2 (3) thereof, in no case may an order from a superior officer or authority be invoked as a justification for torture.**

(...)

**National Human Rights Institution**

(...)

12. **The Committee urges the State party to expeditiously establish a national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and ensure the provision of sufficient financial and human resources to enable it to carry out its mandate independently and effectively. In addition, the State party should ensure full consultation with and the participation of civil society when appointing officials to the national human rights institution; and that the institution's mandate should include clear authority to conduct unannounced visits to any places in the territory of the State party in which any persons are, or could be, deprived of their liberty. The Committee invites the State party to seek technical and capacity-building support and advice from the Office of the United Nations High Commissioner for Human Rights.**

(...)

### **Allegations of torture and ill-treatment**

(...)

#### **18. The State party should:**

**(a) Ensure that all acts of torture and ill-treatment, including excessive use of force, are promptly investigated in an impartial manner and that the suspected perpetrators are duly tried and, if found guilty, punished in a manner commensurate with the gravity of their acts;**

(...)

### **Follow-up procedure**

**45. The Committee requests the State party to provide, by 25 November 2023, information on follow-up to the Committee's recommendations on the definition and criminalization of torture, the national human rights institution and investigations into the alleged acts of torture (see paras. 8, 12 and 18 (a) 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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