

**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/NER/CO/1)*

**NIGER**

(...)

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

(...)

**Fundamental safeguards**

(...)

**9. The State party should:**

(...)

(f) **Ensure that detainees have the right to request and obtain a medical examination by a doctor of their choice and that medical reports are never used as evidence that a person has not been subjected to torture. In addition, the State party should provide the Committee with information on the number of cases in which a medical report has not been issued and on the investigations carried out in these circumstances;**

(...)

**Pretrial detention**

(...)

**16. The Committee recommends that the State party:**

(...)

(c) **Immediately release all persons who have been detained awaiting trial for a period exceeding the maximum sentence imposable for the offence of which they stand accused.**

(...)

**Conditions of detention**

(...)

**22. The Committee calls on the State party promptly to take all necessary measures to bring conditions of detention in prisons and police custody facilities into line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), and in particular to:**

(...)

**(e) Take every necessary measure to combat infectious diseases in prisons and ensure that all deaths in custody are promptly, thoroughly and impartially investigated, including by means of independent forensic examinations.**

(...)

**National Human Rights Commission and national mechanism for the prevention of torture**

**24. The State party should:**

(...)

**(b) Speed up the establishment of the national preventive mechanism and ensure that it has a preventive mandate that is in line with the Optional Protocol to the Convention and the independence, staff, resources and budget necessary for it to fulfil its mandate effectively;**

(...)

**Follow-up procedure**

**39. The Committee requests the State party to provide, by 6 December 2020, information on follow-up to the Committee's recommendations on safeguards related to the issuance of medical certificates, as provided for under article 71 (5) of the Code of Criminal Procedure, the release of persons who have been remanded in custody, the prevention of deaths in detention, and the establishment of a national preventive mechanism (see paras. 10 (f), 16 (c), 22 (e) and 24 (b)). 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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