



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

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Excellency,

In our respective capacities as Chairperson of the Committee against Torture and Rapporteur of the Committee for Follow-up to Concluding Observations, we have the honor to refer to the follow-up to the examination of the fourth and fifth periodic reports of Croatia, in accordance with the Guidelines for Follow-Up to Concluding Observations (CAT/C/55/3).

At the end of its 53rd session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/HRV/CO/4-5, para. 21) requested the State Party to provide within one year further information on the specific areas of concern identified in paragraphs 6(a), 10 and 18 of the concluding observations.

On behalf of the Committee, allow us to express appreciation for your letter of 10 March 2016, providing your Government's response on the above-mentioned paragraphs (CAT/C/HRV/CO/4-5/Add.2), and to make the following comments:

Fundamental legal safeguards against torture and ill-treatment of persons deprived of their liberty (para. 6)

The Committee appreciates the information provided by the State party, which, however, does not fully address its concerns and recommendations directly. In particular, the information submitted by the State party does not address the Committee's concerns regarding access to a lawyer from the very outset of deprivation of liberty and the right to request a medical examination by an independent doctor – which differs from the right to health care and the mandatory medical examination upon arrival in a criminal justice institution. Thus, the Committee considers that the recommendations have not been implemented (2/C).

Independent monitoring of places of deprivation of liberty (para. 10)

Also in this context, the Committee appreciates the replies provided by the State party but regrets that the main issues have not been addressed in full. The issues that have not been addressed relate to the resources allocated to the National Preventive Mechanism and the recommendation to allow civil society organisations to conduct independent monitoring of places of deprivation of liberty. The Committee therefore considers that initial steps have been taken towards the implementation of this recommendation (2/B2).

.../...

H.E. Ms. Vesna Batistic Kos
Ambassador Extraordinary and Plenipotentiary
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Training of personnel (para. 18)

The Committee considers that the information provided by the State party does not address its recommendations and that they have not been implemented (1/C).

The Government of Croatia is encouraged to provide additional information, if any, which may further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the combined fourth to fifth periodic reports of Croatia.

The Committee looks forward to a continued constructive dialogue with the authorities of Croatia on the implementation of the Convention.

Accept, Excellency, the assurances of our highest consideration.

Jens Modvig
Chairperson
Committee against Torture

Abdelwahab Hani
Rapporteur for Follow-up to Concluding Observations
Committee against Torture