

**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.

(...)
