



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Summary record of the 2141st meeting

Held at the Palais Wilson, Geneva, on Wednesday, 30 October 2024, at 3 p.m.

Chair: Mr. Heller

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Fourth periodic report of Kuwait (continued) (CAT/C/KWT/4; CAT/C/KWT/QPR/4)

1. *At the invitation of the Chair, the delegation of Kuwait joined the meeting.*
2. **A representative of Kuwait** said that Kuwait had ratified the Convention against Torture in 1996 and, since then, the national courts had been required to apply the definition of torture enshrined in article 1 of the Convention. The definition of torture contained in the Criminal Code, following its amendment under Decree-Law No. 93 of 2024, was consistent with the Convention. The definition of torture covered not only suspects or defendants in a case but also any person or a member of his or her family. Witnesses or informants could also be considered victims of torture under the law. Moreover, persons could be held accountable not merely for actively inflicting torture but also for failing to intervene to stop the offence or neglecting to report it. Other elements relating to the crime of torture, such as attempt, collusion, incitement or acquiescence, though not specifically addressed in the amendments to the Criminal Code, were criminalized under general provisions of law.
3. The outright ban on torture, and the inadmissibility of justifying torture by claiming to be following superior orders, were likewise covered by general legal provisions. In certain aspects, it was not possible to make a specific provision that applied only to torture without running the risk of violating other rights and freedoms. For example, crimes of torture were subject to a statute of limitations as they could not reasonably be investigated and prosecuted long after all evidence of the act had been lost. The penalties for torture were linked to existing provisions in the Criminal Code, depending upon the gravity of the physical and mental injuries inflicted. The Code envisaged penalties of up to 5 years' imprisonment for severe injuries causing lasting harm, and life imprisonment or even the death penalty for murder. The penalties set forth in the Criminal Code and other legal provisions relating to torture were in the process of being reviewed.
4. **A representative of Kuwait** said that State institutions had telephone, email and social media channels that people could use to report alleged acts of torture. All reports were promptly addressed by the competent authorities.
5. **A representative of Kuwait** said that the Ministry of Information used audiovisual, print and electronic media, both State-run and private, as vehicles for campaigns aimed at combating violence and torture. To date, the campaigns – which covered domestic violence, violence against children and violence in society at large – had involved 62 radio programmes, 43 television programmes and 50 videoclips via social media. The same anti-violence and anti-torture message was conveyed by means of hoardings and screened advertisements in shopping centres, cinemas and other public spaces, through brochures and booklets distributed in schools and via the “51 Kuwait” streaming platform, which had more than 10 million subscribers.
6. The Ministry acted to encourage people to draw information only from reliable sources and it reminded media outlets of their responsibility not to promote violence or to disseminate rumours and falsehoods. In that connection, the Kuwait News Agency (KUNA) had recently set up a fact-checking service. In a recent meeting with producers, directors and writers from the world of Kuwaiti cinema and television, the Ministry had stated that, while it did not object to productions dealing with violence and other controversial topics, those matters had to be handled in a way that was not harmful to any group in society and that reflected the values of the community at large. Viewing age restrictions had been introduced and legal action had been taken against certain productions that violated the law. Statistics showed that most media outlets complied with government regulations, with few exceptions mostly during the coronavirus disease (COVID-19) pandemic.
7. **A representative of Kuwait** said that the General Department for Correctional Institutions had set up a specialized centre to train its staff on human rights in prison settings. Directors of the Department also made regular information-gathering visits to other

countries. In 2022, the Ministry of the Interior had produced and distributed a code of conduct for law enforcement officials which made clear that superior orders could not be invoked as a justification for torture and other cruel, inhuman or degrading treatment of any kind. The Ministry had also issued circulars to the effect that any law enforcement official who violated the provisions of the code of conduct or of Decree-Law No. 93 of 2024 would be held legally accountable.

8. **A representative of Kuwait** said that numerous campaigns and programmes were run to combat violence against women and to address the mental health issues such violence entailed. For its part, the Community Police Department ran anti-violence campaigns in schools and universities and via social media. With a view to the early detection of potential cases of domestic violence, the competent State officials received training in the Anti-Domestic Violence Act. The Ministry of Health provided mental healthcare and counselling services to female victims of violence at the Kuwait Centre for Mental Health and via 60 mental health clinics located throughout the country. Charity and voluntary organizations ran initiatives to support survivors of domestic violence through socioeconomic empowerment and education.

9. **A representative of Kuwait** said that, by law, persons remanded in custody must first be examined to ensure that there are no visible or non-visible injuries. If the examination revealed any signs of torture or ill-treatment, or if the detainee made any allegations in that regard, the matter was duly investigated. Detainees were informed of the reasons for their arrest and detention, and interpretation was provided at State expense for those who did not understand Arabic. Detainees were also permitted to contact a person of their choice and, if they so wished, they were provided with the services of a lawyer. The time of arrest, the reasons for detention and all other steps taken were duly registered in the official record, which investigators could use if a detainee lodged a complaint of wrongful arrest or detention.

10. **A representative of Kuwait** said that persons in detention in Kuwait were always able to communicate with their relatives and their lawyer.

11. **A representative of Kuwait** said that the General Department for Oversight and Inspection in the Ministry of the Interior provided protection against possible reprisals for witnesses and victims of human rights violations, and members of their families, and for health professionals who documented torture. Complaints could be made to the Department in person or via a hotline and were treated with complete confidentiality. Complainants could also request personal protection if they had been threatened. Under the Anti-Domestic Violence Act, victims could request a protection order for themselves or their families against their abuser, while their case was being investigated. Under such orders, abusers were prohibited from contacting their victims in any way or of disposing of joint assets. Six protection orders had been issued in 2024.

12. **A representative of Kuwait** said that police officers were permanently on hand in hospitals to receive and address any reports of threats.

13. **A representative of Kuwait** said that redress and compensation were elements of civil liability. The courts determined the amount of compensation on the basis of the severity of the harm inflicted. In a case dating from 2007, the Court of Cassation had ruled that victims of crime – including torture – could seek civil compensation even in cases where the criminal courts had acquitted the defendant. More than \$41.6 million in compensation had been awarded in criminal cases since 2020. The General Department for the Enforcement of Sentences was responsible for securing the payment of compensation awarded for acts of torture. However, only nine torture-related complaints had been received between 2020 and 2023, meaning that torture was not a widespread phenomenon.

14. **A representative of Kuwait** said that, as part of its mandate, the National Bureau for Human Rights provided human rights-related advice and recommendations to official institutions and reviewed proposed legislation to determine the extent to which it was consistent with human rights principles. In addition, the Bureau could receive and investigate complaints relating to human rights violations then refer them, as it saw fit, to the competent authorities. At the same time, it advised complainants on the legal procedures they needed to follow and assisted them in settling their grievances. The Bureau examined the possibility of

acceding to international human rights treaties and monitored the implementation of those already ratified.

15. The National Bureau for Human Rights issued an annual report, which it drafted in cooperation with United Nations agencies and other international and regional bodies, and it coordinated the operations of national governmental and non-governmental human rights institutions. The Bureau also ran training and awareness-raising initiatives in schools, universities and elsewhere intended to combat torture and racial discrimination and to foster a culture of human rights, and it undertook regular visits to places of deprivation of liberty. In addition, the Bureau monitored the human rights situation of Kuwaiti citizens abroad, published its own magazine and was responsible for its own budget and accounts.

16. To accomplish its mandate, the Bureau had set up a number of standing subcommittees dealing with civil and political rights, family rights, children's rights and persons with disabilities. There was also a subcommittee for torture, racial discrimination and human trafficking. The Bureau had its own website and social media accounts, and it organized or participated in conferences, seminars and other initiatives, both in Kuwait and abroad. Members of the Bureau also engaged with government ministers on aspects of their mandate that touched upon human rights, such as prison conditions, with the Minister of the Interior.

17. Representatives of the National Bureau for Human Rights had visited the national human rights institution of Jordan. Other activities had included the organization of a workshop on road safety, the signature of memorandums of understanding with the national human rights institution of Egypt and the Public Authority for Persons with Disabilities of Kuwait, a visit to the Kuwaiti women's prison, participation in events touching on human rights in Oman, and a meeting in London with representatives of Save the Children International. The Bureau, which had its own budget and operated independently, was overseen by the Ministry of Foreign Affairs. By law, Bureau personnel had the right to make unannounced visits to places of deprivation of liberty. In 2023, for example, the Bureau had visited a reception centre for minors and other detention facilities. It had also held discussions with representatives of civil society and officials from the Directorate for Correctional Institutions. The Bureau's reports on its activities, its visits to places of detention in particular, were transmitted to the relevant authorities. The delay in the renewal of the terms of office of the governing board of the Bureau had not adversely affected the work of the national human rights institution.

18. **A representative of Kuwait** said that, as an institution independent of the State, the Bureau was not represented on the delegation.

19. **A representative of Kuwait** said that police officers who were accused of offences were suspended. Investigations were opened when law enforcement or prison officials were accused of abuse, and the appropriate disciplinary measures, including dismissal, were taken. Criminal proceedings were also instituted.

20. **A representative of Kuwait** said that places of work were inspected to ensure that employers, including employers of domestic workers, complied with the country's labour laws. Workers who believed that their labour or other rights had been violated could submit complaints in person, electronically or by telephone hotline. Migrant domestic workers were assisted by the Department for Domestic Labour even before their initial departure for Kuwait, which had worked closely with the International Labour Organization since becoming a member.

21. A committee that reviewed labour laws at the urging of international organizations and civil society was currently making proposals to repeal or amend a number of such laws. The Government had introduced a summertime midday outdoor work ban, the only State in the region to have done so. Although contractual formalities had to be dispensed with, it was possible for foreign workers to change jobs without the express consent of their employers. Under the Domestic Workers Act, the Department was authorized to request the transfer of a domestic worker from one employer to another in a number of specific cases. A campaign had been launched to familiarize domestic workers, including those set to arrive in Kuwait, with their rights and ensure that they knew where to turn for help with the law.

22. **A representative of Kuwait** said that an attempt was being made to amend the article of the Prisons Act, No. 26 of 1962, setting forth the disciplinary measures to which persons deprived of their liberty could be subjected. A prisoner could remain in solitary confinement, which was imposed only in specific instances, for no longer than 7 days. There had to be an official record of the time and date of the prisoner's placement in solitary confinement. The law was currently under review in order to bring the Kuwaiti prison system fully into line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

23. **A representative of Kuwait** said that anyone sentenced to death had the right to appeal the sentence, including to the country's highest court, or apply for a commutation. Around 80 death sentences had been commuted in the period from 2020 to 2024. No one convicted of a capital crime was put to death without the approval of sentence by the Amir of the State of Kuwait. Minors were not given death sentences, and a pregnant woman who was under sentence of death could not be executed until she had given birth.

24. **A representative of Kuwait** said that sexual intercourse that did not involve mutual consent, including between husband and wife, was against the law. A man who raped his wife could be prosecuted under the Criminal Code, in which rape was defined, and the Personal Status Act. Convictions on charges of domestic violence, which was in some cases punishable by life in prison, were regularly secured. In 2023, for example, there had been 112 such convictions.

25. **A representative of Kuwait** said that his Government did not intend to withdraw its reservations to the Convention, as doing so would undermine its sovereignty.

26. **A representative of Kuwait**, noting that the Committee had been provided with data, broken down by sex, on his country's prison population and on reports of abuse by prison officials, said that the authorities were determined to improve the conditions of detention in all places of deprivation of liberty, including by ensuring the application of article 235 of the Code of Criminal Procedure (Act No. 17 of 1960), under which persons sentenced to imprisonment for less than 6 months could request the commutation of their sentence to one of community service. The royal pardons granted by the Amir were announced every year on Kuwait National Day. Prisoners could be released early on health grounds or, after having served at least half their sentences, for good behaviour. Foreign nationals were entitled to petition to serve part of their sentences in their home country.

27. The foreign nationals who had been held in the Talha Deportation Centre had been transferred to other places of detention. The International Committee of the Red Cross had made 14 visits to Kuwaiti prisons or other detention facilities since 2021.

28. **A representative of Kuwait** said that the bill proposed by the former speaker of the National Assembly, which would have compelled thousands of stateless persons to drop their claims to Kuwaiti citizenship, had never been put to a vote. The Council of Ministers had adopted an action plan intended to help the country's stateless people obtain a nationality. Steps had been taken to enable thousands of persons illegally resident in Kuwait to gain access to basic services, including healthcare and education.

29. **A representative of Kuwait** said that the term "Bidoon" was not used by the Kuwaiti authorities. Foreign nationals legally resident in Kuwait and Kuwaiti nationals had equal rights to freedom of expression and assembly.

30. **A representative of Kuwait** said that extradition matters in Kuwait were governed by mutual assistance agreements and international instruments. Kuwait had extradition agreements with 15 other countries. Otherwise, extradition took place on a basis of reciprocity. No extradition request received by the Kuwaiti authorities would be granted if, for example, the person being sought ran a risk of being subjected to torture in the requesting country. Kuwait did not grant extradition requests if there was reason to believe that the person was being sought on the basis of racial, ethnic or religious background or political views or might be at risk of being subjected to torture and other cruel, inhuman or degrading treatment or punishment.

31. **A representative of Kuwait** said that terrorist offences were punishable under Act No. 31 of 1970 amending the Criminal Code, which pertained to crimes against national

security, the Cybercrime Act, No. 63 of 2015 and Act No. 106 of 2013, which pertained to money-laundering and the financing of terrorism. The security services took the necessary steps to prevent such offences without violating the right to privacy, in accordance with Kuwaiti laws, the Constitution and international law. In 2017, the Constitutional Court had found several articles of the law on DNA collection, No. 78/2015, to be unconstitutional. Furthermore, the law had never been applied in practice. Law enforcement officials were trained in combating terrorism, money-laundering and the financing of terrorism by specialists in the field who were supported by legal professionals to ensure that their actions upheld the rights and freedoms enshrined in the Constitution. More than 28 cases involving terrorist offences had been registered over the previous four years and 35 persons who had been charged with affiliation with a banned group that presented a terrorist threat to Kuwait were currently detained in the Central Prison. No terrorist groups were present in the country.

32. **A representative of Kuwait** said that 47 persons were currently under the care of the forensic psychiatry unit of the Kuwait Centre for Mental Health pursuant to court decisions. The unit, which was staffed by psychiatrists and other medical personnel, approved and conducted treatment programmes, including pharmacological treatment, such as antipsychotic agents and antidepressants, and cognitive behavioural therapy. There was also a rehabilitation programme that supported patients in acquiring self-expression, assertiveness and other skills that enabled them to return to their everyday lives, and that also taught simple skills like cooking and crafts. Patients underwent psychosocial and risk evaluation prior to being discharged.

33. **A representative of Kuwait** said that the Public Authority for Persons with Disabilities provided a range of services to persons with disabilities through a care centre, including medical, social, psychological and rehabilitation services. Allowances of between \$600 and \$900 were granted to persons with disabilities under the age of 21 years and more than \$1,900 on average to those over that age. Allowances of up to \$400 in value and more were available to fund assistants and drivers. The budget allocated to the provision of such services in the period 2023–2024 amounted to approximately \$339 million. According to statistics issued in the first half of 2024, 362 Kuwaiti nationals and 165 non-nationals were being cared for in social care institutions, including people with severe psychological and physical impairments. Such persons also received rehabilitative treatment. The Government worked with diplomatic representatives from 10 States to ensure that foreign nationals who were provided with services of the care centre had up-to-date paperwork and that they were reintegrated with their families, whether those families resided in Kuwait or abroad.

34. **Mr. Rouwane** (Country Rapporteur) said that he would welcome clarification as to whether, pursuant to article 14 of the Convention and in line with general comment No. 3 (2012) on the implementation of article 14, the State party ensured that victims of acts of torture obtained redress not only in the form of financial compensation, which he noted was provided for under the Civil Code, but also in the form of reinstatement of their rights, psychological and physical rehabilitation, satisfaction and guarantees of non-repetition. Given that Kuwait had a monist legal system, under which international conventions became applicable in domestic law upon ratification, he wondered how judges applied international human rights agreements to which Kuwait was a party in practice.

35. He would be grateful to receive more information on efforts made by the State party to raise awareness about the Convention specifically and to educate all law enforcement officers about the commitments of the State party under the Convention. It would also be useful to learn whether the State party had taken steps to train law enforcement officers with respect to the provisions of the second edition of the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) published in 2022.

36. It would be useful to know whether there was a law in Kuwait that governed the use of forensic medicine, especially in relation to judicial proceedings and, if so, whether human rights were safeguarded under that law. He would welcome statistics on the number of forensic physicians in the country. He would welcome further information on efforts made by the State party pursuant to article 11 of the Convention to assess, review and update interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment.

He would appreciate clarification as to the full range of legislative, administrative, judicial or other measures taken by the State party to prevent acts of torture in any territory under its jurisdiction pursuant to article 2 of the Convention, which might include ensuring that persons under detention were entitled to the assistance of a lawyer from the outset of their detention, that they underwent a medical examination at an early stage, and that family members or other persons were notified of their place of detention.

37. **Mr. Kessing** (Country Rapporteur) said that he would like to know what specific measures were being taken to ensure that acts of torture were punishable by penalties that were commensurate with the gravity of that crime. He would appreciate more information as to whether it was the standard practice of the State party to make video or audio recordings of police interrogations. He wished to know whether the national human rights institution planned to apply to the Global Alliance of National Human Rights Institutions for accreditation. He wondered whether allegations of torture or ill-treatment made against police officers were investigated by a department of the police force or by an independent investigatory body. He would be grateful to learn whether domestic workers were able to terminate a contract without having to provide some form of justification for doing so. Given that the Committee had recommended in its previous concluding observations that the State party should amend article 58 of the Prisons Act and put an end to the use of shackles, it would be useful to know when the State party intended to do so. He would appreciate an update on the status of the State party's plan to build a new prison to address the problem of overcrowding. Updated statistics on the number of deaths in custody that had taken place in Kuwait, in addition to information on the results of investigations of such deaths and steps taken to prevent such deaths, would also be appreciated.

38. **A representative of Kuwait** said that article 29 of the Criminal Code made it possible to impose sanctions on any person who committed or encouraged the commission of acts of corporal punishment. Any act of violence against a child was explicitly prohibited under Act No. 16 of 2020 concerning protection from domestic violence. Article 3 of Act No. 21 of 2015 concerning the rights of the child provided that children were entitled to take a wide range of steps to protect themselves from harm, while article 6 of the Act provided for the protection of children from any psychological or physical harm or ill-treatment. A child protection unit established by the Ministry of Education that received and responded rapidly to reports of ill-treatment of children operated around the clock and had a specialized subunit that focused on healthcare facilities. A counselling centre operated a helpline around the clock and immediately investigated any claims of ill-treatment that required a rapid response. Specialized bodies carried out research to identify where resources were needed, to carry out awareness-raising campaigns, to address abusive behaviour in school settings and to establish the best methods to respond to patterns of abuse. As part of efforts made to raise awareness about the ill-treatment of children and the measures being taken to prevent it, information notes and leaflets were being circulated in educational establishments and training sessions were being conducted for teachers and other relevant professionals. A special rapid response team responded to cases of abuse or violence during crises such as natural disasters, which could exacerbate such issues.

39. **A representative of Kuwait** said that the Office of the Public Prosecutor worked independently and impartially to bring guilty persons to justice and enforce sentences on behalf of society at large. It investigated complaints, including those lodged by victims of torture and ill-treatment, and could not transfer its evidence-gathering role to any other body. Pursuant to a legislative amendment of June 2024, the Office of the Prosecutor for Enforcement of Sentences and International Cooperation and Human Rights was responsible for ensuring accountability for human rights violations. It had received no such complaints to date.

40. **A representative of Kuwait** said that the Office of the Public Prosecutor was an independent oversight body with the power to inspect detention facilities. The maximum police custody period was 48 hours for minor offences and four days for serious offences.

41. **A representative of Kuwait** said that the Office of the Public Prosecutor could conduct unannounced inspections to assess detention conditions in places of deprivation of liberty, including police custody units and juvenile facilities. The Office monitored compliance with the law, including the prohibition of torture, and spoke to inmates upon

request. It could submit a report recommending further investigation with a view to prosecution of the perpetrators.

42. **A representative of Kuwait** said that, under national law, torture was considered an aggravating factor for other offences. For example, an act of torture leading to the death of a person would incur a life sentence or the death penalty. Doctors who suspected that patients were at risk of being tortured could make a report to the police units that operated in hospitals. Lawmakers continuously reviewed national legislation to ensure it remained in line with international law.

43. **A representative of Kuwait** said that domestic workers who wished to terminate their contracts for reasons other than those set out in the periodic report could apply to the Public Authority for the Workforce for consideration on an individual basis. Lawyers ensured that neither party to the contract faced discrimination. Between July and September 2024, tens of thousands of domestic workers had taken advantage of a new policy allowing them to move to public sector employment.

44. **A representative of Kuwait** said that arrested persons were promptly informed of their rights and the charges against them and were allowed to make telephone calls to their lawyers and relatives and to receive visits. Under police supervision, medical attention was provided upon request, including hospitalization if necessary. An oversight body in the Ministry of the Interior monitored the electronic custody register to ensure compliance with maximum custody period. Since 2020, 22 cases of unlawful detention had been referred to the judicial authority for prosecution, some of which had resulted in convictions. Disciplinary measures for police officers who assaulted prisoners included warnings, salary deductions and dismissal. A criminal complaint against a police officer would result in suspension pending investigation. The Government was reviewing Act No. 26 of 1962, which allowed for the use of shackles, reduced food rations and solitary confinement as sanctions for prisoners, with a view to bringing it into line with the Nelson Mandela Rules and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

45. **A representative of Kuwait** said that measures used to reduce prison overcrowding included sentences of community service, electronic tagging, pardons, medical release and conditional release. Pretrial detention was limited by law and could not be extended beyond the maximum period. During the reporting period, remand prisoners had accounted for just 8 per cent of persons deprived of their liberty.

46. **A representative of Kuwait** said that the Ministry of the Interior had a department dedicated to forensic medicine, which cooperated with the Ministry of Health in accordance with the law and ministerial regulations.

47. **A representative of Kuwait** said that the law to incorporate the Convention into national law constituted a fundamental legal safeguard against torture. Circulars on the implementation of Decree-Law No. 94 of 2024, which had further strengthened such safeguards, had been issued by the Ministry of the Interior and the Office of the Public Prosecutor. The Ministry of Justice and the National Bureau for Human Rights published laws relevant to implementation of the Convention on their websites. The Office of the Public Prosecutor had a division dedicated to human rights. Awareness-raising campaigns for human rights functioned as safeguards. A hotline and mobile application for lodging complaints about any human rights violations, including those perpetrated by police officers, were accessible to nationals and non-nationals. A team in the Office of the Public Prosecutor was considering the stiffening of sentences relating to torture and ill-treatment. Cooperation with the Committee and consideration of its recommendations also constituted safeguards against torture.

48. **A representative of Kuwait** said that the Government would recommend that National Bureau for Human Rights should consider seeking accreditation from the Global Alliance of National Human Rights Institutions.

49. **Mr. Rouwane** said that, like other United Nations human rights mechanisms, the Committee remained concerned about the independence of the judiciary in Kuwait. Specifically, he hoped that the Government would consider amending the decree on the

organization of the judiciary, which provided that the Minister of Justice should have a role in the appointment of judges.

50. **A representative of Kuwait** said that the judiciary was fully independent from the executive and legislative branches. The Ministry of Justice provided only technical assistance, for example in the management of finances. The Supreme Council of the Judiciary made all decisions on the appointment and promotion of judges without interference from the Ministry, which merely approved the recommendation and referred the resulting decree to the Head of State for promulgation. Although the provisions in the decree might imply otherwise, in practice there was no interference by the executive. While upholding the separation of powers, the different branches cooperated to achieve their common aims.

51. **A representative of Kuwait** said that Kuwait was fully committed to the implementation of all international human rights standards and would continue to engage in a constructive dialogue with the Committee and the broader international community to develop its policies. He welcomed the contribution of civil society organizations to the dialogue. His delegation looked forward to receiving concluding observations that would be taken into consideration with a view to protecting human rights in Kuwait.

The meeting rose at 5.55 p.m.