



## **International Covenant on Civil and Political Rights**

Distr.: General  
9 September 2011  
English  
Original: French

---

### **Human Rights Committee**

**102nd session**

Geneva, 11–29 July 2011

### **Report of the Special Rapporteur for follow-up on concluding observations (102nd session, July 2011)**

The following report sets out the information received by the Special Rapporteur for follow-up on concluding observations and steps taken by the Special Rapporteur pursuant to the Human Rights Committee's amended rules of procedure. The information on States appearing in boldface refers to activities undertaken by the Special Rapporteur between the 101st and 102nd sessions.

For reasons of space, the report does not cover those States parties with respect to which the Committee has completed its follow-up activities.

## Eighty-seventh session (July 2006)

### United Nations Interim Administration in Kosovo (UNMIK)

**Report considered:** Report by UNMIK on the human rights situation in Kosovo, submitted on 2 February 2006.

**Follow-up action concerning concluding observations set forth in:**

Paras. 12, 13, 18.

**Date information due:** 1 January 2007

**Date information received:**

*11 March 2008* Partial reply (responses incomplete with regard to paragraphs 13 and 18).

*7 November 2008* Partial reply (responses incomplete with regard to paragraphs 13 and 18).

*12 November 2009* Information received (recommendations partially implemented).

*30 June 2011* Letter from UNMIK indicating that a representative of the Secretary-General to UNMIK will arrive in Geneva on 20 July 2011 to attend the requested meeting.

**Action taken:**

*Between April and September 2007* Three reminders were sent.

*10 December 2007* The Special Rapporteur requested a meeting with the Special Representative of the Secretary-General or a representative designated by the Special Representative, to be convened during the ninety-second session.

*11 June 2008* The Special Rapporteur requested a meeting with a representative of UNMIK.

*22 July 2008* During the ninety-third session, the Special Rapporteur met with Mr. Roque C. Raymundo, Senior Human Rights Adviser to UNMIK, who provided additional written and oral information on paragraphs 12, 13 and 18 and undertook to submit further information on (a) cases where perpetrators of disappearances and abductions were tried and sentenced, access by relatives to information about the fate of victims, and measures taken to secure adequate resources for victim compensation schemes (para. 13); and (b) measures taken to implement the strategies and policies to ensure safe and sustainable returns, in particular for minority returnees, as well as to ensure that minority returnees benefit from the special rental scheme of the Kosovo Property Agency (para. 18). The meeting was also attended by a representative of the OHCHR Pristina Office.

*3 June 2009* A letter was sent to request additional information.

*27 August 2009* A reminder was sent.

*28 September 2010* While taking note of the cooperativeness of UNMIK, the Committee sent a letter in which it noted the measures taken but indicated that none of the recommendations has been fully implemented.

*10 May 2011* The Committee sent a letter requesting a meeting with the Special Representative of the Secretary-General at UNMIK.

*20 July 2011* The Special Rapporteur met with the Director of the UNMIK Office of Legal Affairs (Mr. Tschoepke), who indicated that the supplementary information that had been requested would be forwarded before the October 2011 session.

**Recommended action:** None.

## **Eighty-eighth session (October 2006)**

### **State party: Ukraine**

**Report considered:** Sixth periodic report, submitted (on time) on 1 November 2005.

**Follow-up action concerning concluding observations set forth in:**

Paras. 7, 11, 14, 16.

**Date information due:** 1 December 2007

**Date information received:**

*19 May 2008* Partial reply.

*28 August 2009* Supplementary follow-up report received (para. 7: some recommendations not implemented, some replies incomplete; para. 11: replies satisfactory in parts, incomplete in others; para. 14: replies incomplete; para. 16: replies satisfactory in parts, incomplete in others).

**Action taken:**

*17 January 2008* A reminder was sent.

*16 December 2008* Additional information was requested.

*6 May 2009* A reminder was sent to the State party.

*26 April 2010* A letter was sent indicating that the procedure was complete with regard to the issues concerning which the replies supplied by the State party were considered to be largely satisfactory: provision of hygienic facilities and adequate food in detention facilities (para. 11); and claims for restitution of Muslim property (para. 16). The letter also included a request for additional information on certain questions: investigation of deaths in detention (para. 7); relieving prison overcrowding (para. 11); use of alternative sanctions to reduce the prison population (para. 11); protection of freedom of opinion and expression (para. 14); and availability of remedies for discrimination based on the victim's ethnic, linguistic or religious identity (para. 16). Lastly, the letter highlighted a number of points concerning which the Committee considered that its recommendations had not been implemented: establishment of an independent police complaints mechanism (para. 7); and the introduction of a system for videotaping the interrogation of criminal suspects as a safeguard (para. 7).

*28 September 2010* A reminder was sent.

*19 April 2011* A further reminder was sent.

**Recommended action:** A letter should be sent requesting a meeting between the Special Rapporteur for follow-up on concluding observations and a representative of the State party.

**Next report due:** 2 November 2011

## Eighty-ninth session (March 2007)

### **State party: Chile**

**Report considered:** Fifth periodic report (due in 2002), submitted on 8 February 2006.

### **Follow-up action concerning concluding observations set forth in:**

Paras. 9, 19.

**Date information due:** 1 April 2008

### **Date information received:**

*21 and 31 October 2008* Partial reply.

*28 May 2010* Supplementary follow-up report received (incomplete response).

*31 January 2011* Letter from the Permanent Mission of Chile requesting clarification on the additional information requested by the Committee.

### **Action taken:**

*11 June 2008* A reminder was sent.

*22 September 2008* A further reminder was sent.

*10 December 2008* A request for additional information was sent.

*22 June 2009* The Special Rapporteur requested a meeting with a representative of the State party.

*28 July 2009* The Special Rapporteur held a meeting with representatives of the State party in order to discuss some issues relating to paragraphs 9 and 19. The Ambassador informed the Special Rapporteur that the State party's replies to the Committee's request for additional follow-up information are currently being prepared and will be submitted as soon as possible.

*11 December 2009* A reminder was sent.

*23 April 2010* A further reminder was sent.

*16 December 2010* While taking note of the cooperativeness of the State party, a letter was sent requesting additional information on: the steps taken to ascertain the suitability of persons who have served sentences for committing human rights violations to hold public office (para. 9); and the publication of all documentation collected by the Truth and Reconciliation Commission and the National Commission on Political Prisoners and Torture (CNPPT) that may help identify those responsible for extrajudicial executions (para. 9). The letter also indicated that implementation of the recommendations was considered to be incomplete with regard to: the statute of limitations for serious human rights violations (para. 9); the steps taken to ensure respect for and recognition of the land rights of indigenous communities (para. 19); and the application of antiterrorist legislation (Act No. 18314) in place of the Criminal Code (para. 19).

*20 April 2011* The Committee sent a letter clarifying what information had been requested in its letters of 23 April 2010 and 31 January 2011.

**Recommended action:** A letter should be sent in which the request for supplementary information is repeated and the State party is reminded that its periodic report will be due on 27 March 2012.

**Next report due:** 27 March 2012

**State party: Madagascar**

**Report considered:** Third periodic report (due in 1992) submitted on 24 May 2005.

**Follow-up action concerning concluding observations set forth in:**

Paras. 7, 24, 25.

**Date information due:** 1 April 2008

**Date information received:**

*3 March 2009* Partial reply.

*17 May 2011* Follow-up reply of 29 September 2010.

**Action taken:**

*11 June 2008* A reminder was sent.

*22 September 2008* A further reminder was sent.

*16 December 2008* The Special Rapporteur requested a meeting with a representative of the State party.

*29 May 2009* Additional information was requested.

*3 September 2009* A reminder was sent.

*11 December 2009* A reminder was sent.

*25 June 2010* The Special Rapporteur requested a meeting with a representative of the State party.

*28 September 2010* A reminder was sent.

*10 May 2011* A further reminder was sent.

**Recommended action:** The contents of the follow-up reply should be taken into account during the consideration of the periodic report.

**Next report due:** 23 March 2011

## **Ninetieth session (July 2007)**

**State party: Czech Republic**

**Report considered:** Second periodic report (due on 1 August 2005), submitted on 24 May 2006.

**Follow-up action concerning concluding observations set forth in:**

Paras. 9, 14, 16.

**Date information due:** 1 August 2008

**Date information received:**

*18 August 2008* Partial reply (response incomplete with regard to paragraphs 9, 14 and 16).

*22 March 2010 and 1 July 2010* Supplementary follow-up report received (partial reply).

**Action taken:**

*11 June 2008* A reminder was sent.

*10 December 2008* Additional information was requested.

*6 May 2009* A reminder was sent to the State party.

*6 October 2009* A further reminder was sent.

*February 2010* The Special Rapporteur requested a meeting with a representative of the State party.

*20 April 2011* A letter was sent in which the Committee took note of the cooperativeness of the State party and indicated that the information provided was considered as being on the whole satisfactory with regard to the following points: the need for adequate training of police personnel (para. 9 (c)); the evaluation of a person's mental condition as a basis for confinement (para. 14 (a)); the judicial review procedure for placement in a medical facility (para. 14 (c)); the institution of mechanisms for surveillance of discrimination (para. 16 (c)); training for the Roma population and their access to employment (para. 16 (d)); and measures taken to combat prejudice against the Roma (para. 16 (f)).

The letter also indicated that the information provided on certain questions was considered to be incomplete or inadequate: the institution of an independent investigative mechanism, para. 9 (a); compensation for the victims of police violence, para. 9 (b); and the practice of abusive expulsions in the private sector, para. 16 (e).

Lastly, the letter indicated that, since no information had been provided about the establishment of a guardianship arrangement in order to protect the interests of interned patients (para. 14 (b)), the recommendation has not been implemented.

**Recommended action:** None

**Next report due:** 1 August 2011

**State party:** **Zambia**

**Report considered:** Third periodic report (due on 30 June 1998), submitted on 16 December 2005.

**Follow-up action concerning concluding observations set forth in:**

Paras. 10, 12, 13, 23.

**Date information due:** 1 August 2008

**Date information received:**

*9 December 2009* Follow-up report received (para. 10: no reply; paras. 12, 13 and 23: replies incomplete).

*28 January 2011* Implementation begun (paras. 10 (a) and 23 (b)) but not completed (para. 10 (a), (c) and (d); paras. 12 and 13; and para. 23 (a), (b) and (c)).

**Action taken:**

*Between September 2008 and May 2009* Three reminders were sent.

*7 October 2009* The Special Rapporteur requested a meeting with a representative of Zambia.

*28 October 2009* The Special Rapporteur met with a representative of the State party. The representative of the State party informed the Special Rapporteur that the replies of the State party to the Committee's questions will be submitted as soon as possible (November 2009).

*26 April 2010* A letter was sent requesting more specific information on certain questions.

*28 September 2010* A reminder was sent.

*20 April 2011* A letter was sent in which the Committee took note of the cooperativeness of the State party and invited it to address all the concluding observations in its next periodic report, which was due on 20 July 2010.

The Committee also invited the State party to include information on the points to which the replies given in the follow-up report were considered inadequate: the mandate of the Zambian Human Rights Commission (para. 10 (c)); the adequacy of the funds allocated to the Commission to meet its needs (para. 10 (a)); the proportion of cases in which alternatives to imprisonment are used (para. 23 (a)); the actual impact of the measures introduced to reduce pretrial custody (para. 23 (b)); the measures taken to ensure that prisoners have access to health care and nutritious food in prisons (para. 23 (c)); the impact of the constitutional reform on the mandate and functions of the Zambian Human Rights Commission (para. 10 (c)); the outcome of the review of the Commission's status, due in 2011 (para. 10 (d)); and the measures taken to achieve progress with the review of part III and in particular of article 23 of the Constitution and to set in motion the process for the submission of the draft to a referendum, pursuant to the Act on the National Constitutional Conference (para. 12).

Finally, the Committee indicated that it considered that the recommendation concerning the compliance of customary laws and practices with the rights provided for in the Covenant, particularly with regard to the rights of women and their participation in the ongoing review and codification process of customary laws and practices (para. 13), had not been implemented.

**Recommended action:** None

**Next report due:** 20 July 2011

## Ninety-first session (October 2007)

### **State party: Georgia**

**Report considered:** Third periodic report (due on 1 April 2006), submitted on 1 August 2006.

#### **Follow-up action concerning concluding observations set forth in:**

Paras. 8, 9, 11.

**Date information due:** 1 November 2008

#### **Date information received:**

*13 January 2009* Partial reply (response incomplete with regard to paragraphs 8, 9 and 11).

*28 October 2009* Additional information submitted (some portions are satisfactory; others are incomplete).

**Action taken:**

*16 December 2008* A reminder was sent.

*29 May 2009* Additional information was requested.

*27 August 2009* A reminder was sent.

*28 September 2010* While taking note of the cooperativeness of the State party, the Committee sent a letter requesting additional, more specific information on a number of questions: investigations into complaints related to domestic violence and other acts of violence against women (para. 8); protection of victims of domestic violence, including by establishing a sufficient number of shelters (para. 8); impartial investigations into complaints about the excessive use of force by law enforcement officials (para. 9); prosecution of the perpetrators of such acts (para. 9); and steps to end prison overcrowding (para. 11).

*20 April 2011* A reminder was sent.

**Recommended action:** Another reminder should be sent.

**Next report due:** 1 November 2011

**State party: Libyan Arab Jamahiriya**

**Report considered:** Fourth periodic report (due on 1 October 2002), submitted on 6 December 2005.

**Follow-up action concerning concluding observations set forth in:**

Paras. 10, 21, 23.

**Date information due:** 30 October 2008

**Date information received:**

*24 July 2009* Partial reply.

*5 November 2010* Hard copy of follow-up report received.

**Action taken:**

*16 December 2008* A reminder was sent.

*9 June 2009* A reminder was sent to the State party.

*4 January 2010* Additional information was requested.

*23 April 2010* A reminder was sent along with a request to meet with a representative of the State party.

*28 September 2010* The Special Rapporteur requested a meeting with a representative of the State party.

*12 October 2010* Consultations were held during the 100th session. The delegation agreed to transmit to the Government the request made by the Special Rapporteur and the Committee. This was confirmed in a letter dated 18 October 2010.

*18 November 2010* The State party was asked to provide a Word version of the document to facilitate translation.

*10 May 2011* The Committee sent a letter in which it informed the State party that, bearing in mind that its periodic report was already five months overdue, it would have a further six-month extension for preparing and transmitting its report to the Committee.



**Recommended action:** None.

**Next report due:** 30 October 2010

**State party:** Costa Rica

**Report considered:** Fifth periodic report (due on 30 April 2004), submitted on 30 May 2006.

**Follow-up action concerning concluding observations set forth in:**

Paras. 9, 12.

**Date information due:** 1 November 2008

**Date information received:**

*17 March 2009* Partial reply received.

*17 November 2009* Incomplete response received regarding para. 9; largely satisfactory response received regarding para. 12.

**Action taken:**

*16 December 2008* A reminder was sent.

*30 July 2009* A letter was sent to request more specific information.

*28 September 2010* A letter was sent indicating that the follow-up procedure had been completed with respect to those questions to which the answers provided by the State party were considered to be generally satisfactory: efforts to combat trafficking in women and children and sexual exploitation (para. 12). While taking note of the cooperativeness of the State party, the letter included a request for additional information on certain questions: improving conditions in detention centres and measures to solve the problem of prison overcrowding (para. 9).

*20 April 2011* A reminder was sent.

**Recommended action:** None, pending a reply from the State party.

**Next report due:** 1 November 2012

## Ninety-second session (March 2008)

**State party:** Tunisia

**Report considered:** Fifth periodic report (due on 4 February 1998), submitted on 14 December 2006.

**Follow-up action concerning concluding observations set forth in:**

Paras. 11, 14, 20, 21.

**Date information due:** 1 April 2009

**Date information received:**

*16 March 2009* Partial reply.

*2 March 2010* Supplementary follow-up report received.

**Action taken:**

*30 July 2009* A letter was sent to request additional information and to state that the follow-up procedure with respect to certain issues is considered completed due to non-implementation and to ask the State party to report on these issues in its next periodic report.

*4 October 2010* While taking note of the cooperativeness of the State party, the Committee sent a letter indicating that the follow-up procedure had been completed in respect of those questions to which the answers provided by the State party were considered to be generally satisfactory: training of law enforcement officials (para. 11). The letter also included a request for additional information on certain questions: complaints alleging torture submitted to, and registered by, the authorities; number of compensation awards (para. 11); steps taken to protect the peaceful activities of human rights organizations and defenders, and information on investigations into allegations of intimidation (para. 20); and information on the registration of human rights associations (para. 21).

*20 April 2011* A reminder was sent.

**Recommended action:** Another letter should be sent to remind the State party that its next periodic report will be due on 31 March 2012.

**Next report due:** 31 March 2012

**State party: Botswana**

**Report considered:** Initial report (due on 8 December 2001), submitted on 13 October 2006.

**Follow-up action concerning concluding observations set forth in:**

Paras. 12, 13, 14, 17.

**Date information due:** 1 April 2009

**No information received.**

**Action taken:**

*8 September 2009* A reminder was sent.

*11 December 2009* A reminder was sent.

*28 September 2010* The Special Rapporteur requested a meeting with a representative of the State party.

*6 July 2011* Positive response received from the State party (by telephone).

*27 July 2011* The Special Rapporteur met with the Ambassador of Botswana, who indicated that the supplementary information that had been requested would be sent to the Committee prior to the October 2011 session.

*19 April 2011* A reminder was sent requesting a meeting with a representative of the State party.

**Recommended action:** None.

**Next report due:** 31 March 2012

**State party: The former Yugoslav Republic of Macedonia**

**Report considered:** Second periodic report (due on 1 June 2000), submitted on 12 October 2006.

**Follow-up action concerning concluding observations set forth in:**

Paras. 12, 14, 15.

**Date information due:** 1 April 2009

**Date information received:**

*31 August 2009* Follow-up report received (paras. 12 and 15: replies incomplete; para. 14: recommendation not implemented in part; reply lacking in part).

*24 June 2011* Reply from the State party.

**Action taken:**

*27 August 2009* A reminder was sent.

*26 April 2010* A letter was sent in which the Committee requested additional information on certain questions: measures taken to ensure that the most serious human rights violations, crimes against humanity and war crimes are thoroughly investigated (para. 12); review of practices and procedures with a view to preventing the illegal rendition of prisoners (para. 14). The letter also highlighted the points concerning which the Committee considered that its recommendations had not been implemented: a new and comprehensive investigation into the allegations made by Mr. Khaled al-Masri. In addition, the State party was invited to keep the Committee apprised of any new development in respect of displaced persons.

*28 September 2010* A reminder was sent.

*20 April 2011* A further reminder was sent.

**Recommended action:** A letter should be sent in which the Committee takes notes of the cooperativeness of the State party and urges the State party to:

- Include additional information in its next periodic report on the implementation of measures for the development of “a modern and professional structure capable of handling the modern security risks and threats while at the same time diligently observing the human rights and freedoms of the citizens” (para. 14)
- Furnish updated information on the measures adopted to provide internally displaced persons with support and on the steps taken to ensure their continuity (para. 15)
- Provide information on the outcome of the cases mentioned by the State party in its follow-up reply concerning the application of its amnesty law (para. 12)

In its letter, the Committee should also note that no information has been received regarding any steps to fully investigate human rights violations, to prosecute those responsible or to make reparations to the victims of the most serious human rights violations and their families and that this recommendation has therefore not been acted upon (para. 12).

**Next report due:** 1 April 2012

**State party: Panama**

**Report considered:** Third periodic report (due on 31 March 1992), submitted on 9 February 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 11, 14, 18.

**Date information due:** 1 April 2009

**No information received.**

**Action taken:**

*Reminders were sent on 27 August 2009, 11 December 2009 and 23 April 2010.*

*28 September 2010* The Special Rapporteur requested a meeting with a representative of the State party.

*19 April 2011* A reminder that a meeting with a representative of the State party had been requested was sent.

*June–July 2011* Calls have been made to the permanent mission on four occasions, but no meeting with a representative of the State party has yet been confirmed.

**Recommended action:** In the absence of a response to requests for information and for a meeting with the Special Rapporteur, the Committee considers that the State party is not cooperating with it in the implementation of the follow-up procedure.

**Next report due:** 31 March 2012

## Ninety-third session (July 2008)

**State party: France**

**Report considered:** Fourth periodic report (due on 31 December 2000), submitted on 13 February 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 12, 18, 20.

**Date information due:** 31 July 2009

**Date information received:**

*20 July 2009* Follow-up report (generally satisfactory, para. 12; responses partially incomplete, paras. 18 and 20).

*9 July 2010* Additional follow-up report received (partially incomplete, paras. 18 and 20).

*17 January 2011* The Permanent Mission of France requested clarification on the additional information requested by the Committee.

**Action taken:**

*11 January 2010* A letter was sent requesting additional information and stating that the follow-up procedure with respect to certain issues is considered completed.

*16 December 2010* A letter was sent to the State party indicating that the follow-up procedure has been completed in respect of those questions for which the information provided by the State party was considered to be generally satisfactory (paragraph 12 of the concluding observations). The letter also included a request for additional information on certain questions (more specific and precise information on the situation in detention centres in the Overseas Departments and Territories, para. 18; and on the automatic suspension of deportation proceedings in “national security” removals and implementation of the law with regard to undocumented adults and asylum-seekers, para. 20).

*20 April 2011* In light of the request in the State party's letter of 17 January 2011, a letter was sent to clarify the information requested by the Committee in its letters of 23 April 2010 and 31 January 2011.

**Recommended action:** A reminder should be sent.

**Next report due:** 1 August 2012

**State party: San Marino**

**Report considered:** Second periodic report, submitted on 31 October 2006.

**Follow-up action concerning concluding observations set forth in:**

Paras. 6, 7.

**Date information due:** 1 August 2009

**Date information received:**

*5 November 2010* (generally satisfactory)

**Action taken:**

*14 December 2009* A reminder was sent.

*23 April 2010* A reminder was sent.

*28 September 2010* A further reminder was sent.

*9 May 2011* A letter was sent to the State party indicating that the replies to the Committee's recommendations in its letter of 5 November 2010 appear to be sufficiently satisfactory for the Committee to declare that the follow-up procedure concerning them has been completed.

**Recommended action:** None

**Next report due:** 31 July 2013

**State party: Ireland**

**Report considered:** Third periodic report (due 31 July 2005), submitted on 23 February 2008.

**Follow-up action concerning concluding observations set forth in:**

Paras. 11, 15, 22.

**Date information due:** 1 August 2009

**Date information received:**

*31 July 2009* Request for additional information (paras. 11, 15 and 22); recommendation not implemented (para. 15).

*21 December 2010* Follow-up report (replies partly satisfactory, but incomplete (para. 11)).

**Action taken:**

*4 January 2010* A letter was sent asking for additional information on how and how often terrorist acts have been investigated and prosecuted, requesting the State party to exercise the utmost care in relying on official assurances; and asking for information concerning the mandate of the Committee on Aspects of International Human Rights, which is to examine the legal framework and determine how systems of monitoring traffic through Irish airports might be improved. Information was also requested on prison overcrowding. In addition, the letter stated that the follow-up procedure is considered to have been completed with

respect to the issues of the improvement of the conditions of all persons deprived of liberty and the availability of non-denominational primary education (para. 11).

*28 September 2010* A reminder was sent.

*25 April 2011* A letter was sent to the State party informing it that the procedure has come to an end as regards questions on which the information submitted by the State party is considered to be on the whole satisfactory (description of the mandate of the subcommittee on the promotion and protection of human rights during control of Irish airports and human rights training initiatives (para. 11)). However, further information was requested on the outcome of the work of the subcommittee on the promotion and protection of human rights during control of Irish airports (para. 11).

The letter also pointed out that the reply to some questions was incomplete: methods used and frequency of investigations into and prosecution of terrorist acts (para. 11); the possibility of detainees communicating with a lawyer – the information provided merely presents the relevant legislative norms, with no reference to actual practice (para. 11); and the actual precautionary measures implemented systematically to ensure compliance with official assurances (para. 11).

Finally, the letter indicated that the Committee considers that its recommendation with respect to the length of pretrial detention (more than four months) has not been implemented (para. 11).

**Recommended action:** A reminder should be sent.

**Next report due:** 31 July 2012

**State party: United Kingdom of Great Britain and Northern Ireland**

**Report considered:** Sixth periodic report (due on 1 November 2006), submitted on 1 November 2006.

**Follow-up action concerning concluding observations set forth in:**

Paras. 9, 12, 14, 15.

**Date information due:** 1 August 2009

**Date information received:**

*7 August 2009* Follow-up report received (para. 9: replies incomplete; para. 12: no replies to some questions; recommendations partly not implemented; para. 14 and para. 15: replies satisfactory in part and incomplete in part).

*10 November 2010* Follow-up report (paras. 9 and 14: incomplete replies).

**Action taken:**

*26 April 2010* A letter was sent indicating that the procedure was complete with regard to the issues concerning which the information supplied by the State party was considered to be largely satisfactory: application of the Covenant to all individuals who are subject to its jurisdiction or control (para. 14). The letter included a request for additional information on certain questions: destruction of documents and delays in the “Billy Wright” inquiry (para. 9); independence of inquiries (para. 9); investigations into allegations concerning suspicious deaths, torture or cruel, inhuman or degrading treatment or punishment in detention facilities in Afghanistan and Iraq (para. 14); and measures taken to ensure respect for victims’ right to reparation. In addition, the Committee invited the State party to keep it informed of any news on the appeals before the Belfast courts on the use of extended periods of detention (para. 15).

*28 September 2010* A reminder was sent which included a request for additional information on certain questions: diplomatic assurances (para. 12).

*20 April 2011* While taking note of the cooperativeness of the State party, the Committee sent a letter requesting additional information on certain points: why precisely the State party considers that the application of the 2005 law to cases of violations of the right to life in Northern Ireland poses no problem (para. 9); progress made towards establishing and making operational the Iraq Historic Allegations Team (para. 14); measures taken to compensate victims of violations committed by members of the British Armed Forces and the criteria for awarding compensation to victims (para. 14); and decisions by the Belfast courts on the legality of the use of extended detention without charge against terrorist suspects (para. 15).

**Recommended action:** A reminder should be sent.

**Next report due:** 31 July 2012

## Ninety-fourth session (October 2008)

### State party: Nicaragua

**Report considered:** Third periodic report (due on 11 June 1997), submitted on 20 June 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 12, 13, 17, 19.

**Date information due:** 31 October 2009

**No information received.**

**Action taken:**

*23 April 2010* A reminder was sent.

*8 October 2010* A further reminder was sent.

*20 April 2011* A letter was sent requesting a meeting with a representative of the State party.

*4 May 2011* Positive reply received from the State party. A meeting was scheduled for 18 July, but no representative of the State party appeared. The permanent mission has not returned subsequent calls.

**Recommended action:** A reminder should be sent in which the Committee expresses its regret that no representative of the State party attended the meeting scheduled for 18 July and requests that another meeting be arranged.

**Next report due:** 29 October 2012

### State party: Denmark

**Report considered:** Fifth periodic report (due on 31 October 2005), submitted on 23 July 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 8, 11.

**Date information due:** 31 October 2009

**Date information received:**

*4 November 2009* Follow-up report received (para. 8: replies incomplete; para. 11: replies largely satisfactory).

**Action taken:**

*26 April 2010* A letter was sent indicating that the procedure was complete with regard to the issues concerning which the information supplied by the State party was considered to be largely satisfactory: review of legislation on solitary confinement during pretrial detention (para. 11). The letter included a request for additional information on certain questions: measures aimed at eliminating violence against women.

*28 September 2010* A reminder was sent.

*20 April 2011* A further reminder was sent.

**Recommended action:** A letter should be sent requesting a meeting between a representative of the State party and the Special Rapporteur for follow-up on concluding observations.

**Next report due:** 31 October 2013

**State party: Japan**

**Report considered:** Fifth periodic report (due in October 2002), submitted on 20 December 2006.

**Follow-up action concerning concluding observations set forth in:**

Paras. 17, 18, 19, 21.

**Date information due:** 31 October 2009

**Date information received:**

*21 December 2009* Follow-up report received (para. 17: recommendations partly not implemented, replies partly incomplete; para. 18: replies incomplete; paras. 19 and 21: recommendations partly implemented).

**Action taken:**

*28 September 2010* A letter was sent in which the Committee took note of the cooperativeness of the State party and requested additional information on certain questions: confidentiality of meetings between death row inmates and their lawyers (para. 17); the substitute detention system (para. 18); the right of confidential access to a lawyer and the right of access to legal aid/the evidence against them (para. 18); the pre-indictment bail system (para. 18); and the role of the police (para. 19). The letter also highlighted the points concerning which the Committee considers that its recommendations have not been implemented: mandatory system of review and the suspensive effect of requests for retrial or pardon (para. 17); legislation prescribing strict time limits for the interrogation of suspects (para. 19); and the rule under which death row inmates are placed in solitary confinement (para. 21). In addition, with regard to “accommodating blocks”, the letter invited the State party to keep the Committee apprised of any efforts to improve the treatment of prisoners.

**Recommended action:** None.

**Next report due:** 29 October 2011



**State party: Spain**

**Report considered:** Fifth periodic report (due on 28 April 1999), submitted on 11 December 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 13, 15, 16.

**Date information due:** 31 October 2009

**Date information received:**

*16 June 2010* Follow-up report received (implementation begun (para. 16) but not completed (paras. 13 and 15)).

*29 June 2011* Response to the request for additional information.

**Action taken:**

*23 April 2010* A reminder was sent.

*25 April 2011* A letter was sent in which the Committee took note of the cooperativeness of the State party and indicated that implementation of the recommendation had begun (lawfulness of the procedures for detention and expulsion of foreigners, para. 16). The letter also contained a request for additional information on the prevailing practice in this respect and on the action plan of the national mechanism for the prevention of torture (para. 13). The Committee also indicated that certain recommendations have not been implemented (maximum duration of custody and of pretrial detention, para. 15).

**Recommended action:** A letter should be sent in which the Committee takes note of the cooperativeness of the State party and of the detailed nature of the information that it has provided and requests that the State party include information on the following points in its next periodic report:

- The establishment of a national preventive mechanism: human and financial resources, actions taken, mode of operation and operational context, difficulties encountered (para. 13)
- Changes in legislation and practice with regard to the length of time that a person may be held in police custody and that a person may be held in pretrial detention (para. 15)
- The number of people who apply for free legal aid each year and the number of people who have received such assistance over the past five years; the number of expulsions that were initiated over the past five years and the percentage of those cases in which the procedure was suspended owing to the application of the principle of non-refoulement; the number of persons granted asylum and the number of persons granted subsidiary protection each year since 2009 (para. 16)

**Next report due:** 1 November 2012

## Ninety-fifth session (March 2009)

### State party: Sweden

**Report considered:** Sixth periodic report (due 1 April 2007), submitted on 20 July 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 10, 13, 16, 17.

**Date information due:** 1 April 2010

**Date information received:**

*18 March 2010* Follow-up report received (paras. 10–13: response largely satisfactory; para. 16: response incomplete; para. 17: responses incomplete in parts, recommendations not implemented in parts, no response on certain points).

*5 August 2011* Response to the request for additional information received.

**Action taken:**

*28 September 2010* A letter was sent indicating that the follow-up procedure had been completed with regard to those questions to which the responses supplied by the State party were considered to be largely satisfactory: rights of persons with disabilities (para. 10) and fundamental legal safeguards for persons held in custody (para. 13). The letter included a request for additional information on certain issues: diplomatic assurances (para. 16); detention and placement of asylum-seekers, and access to information (para. 17). It also highlighted the points concerning which the Committee considers that its recommendations have not been implemented: limit the length of detention of asylum-seekers (para. 17).

*20 April 2011* A reminder was sent.

**Recommended action:** The replies received from the State party should be examined at the next session.

**Next report due:** 1 April 2014

### State party: Rwanda

**Report considered:** Third periodic report (due in 1992), submitted on 12 September 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 12, 13, 14, 17.

**Date information due:** 1 April 2010

**Date information received:**

*21 December 2010* Follow-up report.

**Action taken:**

*28 September 2010* A reminder was sent.

*25 April 2011* A letter was sent in which the Committee took note of the cooperativeness of the State party and requested additional information on the following points:

- Para. 12: Number of enforced disappearances and summary or arbitrary executions reported to the courts since 2005; outcome of investigations, decisions handed down and penalties applied in this connection and status of the proceedings in the

cases of Mr. Cyiza and Mr. Hitimana; procedures and conditions of access to compensation and types of remedy for the victims and their families

- Para. 13: Total number of civilians murdered in the course of operations by the Rwandan Patriotic Army for whatever reason, including non-revenge killings; specifically, the proportion of cases resulting in prosecution; steps taken to ensure victims participate in the proceedings and to guarantee respect for their rights; grounds for any acquittals in these cases
- Para 14: Measures taken to ensure respect for the rights of prisoners as set out in the United Nations Standard Minimum Rules for the Treatment of Prisoners but not mentioned by the State party with regard to enforcement of the penalty of solitary confinement, such as the right to regular, nutritious meals and the right to regular contact with the outside world
- Para. 17: State party's reply concerning reports received by the Committee that the *gacaca* courts are still operating despite having been officially closed down at the end of 2009 and that they hear cases of sexual violence without always guaranteeing respect for victims' rights

In its letter, the Committee also requested additional information on the number of prisoners currently held in solitary confinement under the new system and on the grounds for punishing them in this way.

**Recommended action:** A reminder should be sent.

**Next report due:** 1 April 2013

**State party: Australia**

**Report considered:** Fifth periodic report (due on 31 July 2005), submitted on 7 August 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 11, 14, 17, 23.

**Date information due:** 1 April 2010

**Date information received:**

*17 December 2010* Follow-up report (implementation begun but not completed).

**Action taken:**

*28 September 2010* A reminder was sent.

*January 2011* Follow-up report sent for translation.

**Recommended action:** A letter should be sent in which the Committee takes note of the cooperativeness of the State party and requests additional information on the progress of the discussion and adoption of the reform of counter-terrorism legislation. The Committee should also request information on the interpretation and application of the expression "for the avoidance of doubt" of section 34ZP of the Australian Security Intelligence Organisation (ASIO) Act, under which a person may be questioned without the presence of a lawyer (para. 11).

Additional information should be requested on the steps taken to ensure that the restrictions, compulsory land acquisition powers and law enforcement powers provided for under the Northern Territory Emergency Response (NTER) measures are not applied in a discriminatory or culturally inappropriate manner (para. 14).

While taking note that the action plans that have been developed at national and regional levels demonstrate a strong commitment on the part of the State party to implementing its “zero tolerance position” on sexual assault and domestic and family violence, in its letter the Committee should request additional information on the results, on the success of this effort and on the lessons learned (para. 17).

Finally, the Committee should indicate that its recommendations have not been implemented regarding the vagueness of the definition of terrorist act, the possibility of detaining a person (for up to eight days) without charges and the review of the powers of the Australian Security Intelligence Organization (ASIO) (para. 11).

**Next report due:** 1 April 2013

## Ninety-sixth session (July 2009)

### State party: Azerbaijan

**Report considered:** Third periodic report (due 1 November 2005), submitted on 4 October 2007.

#### Follow-up action concerning concluding observations set forth in:

Paras. 9, 11, 15, 18.

**Date information due:** 30 July 2010

#### Date information received:

*6 July 2010* Follow-up report received (implementation, a priori, satisfactory; request for additional information).

#### Recommended action:

A letter should be sent in which the Committee takes note of the cooperativeness of the State party and the detailed nature of the information supplied and in which it indicates that the follow-up procedure has been completed with respect to the issues concerning which the responses supplied by the State party were considered to be largely satisfactory:

- Compulsory training for newly recruited prison officials (para. 11)
- Recognition of the right of foreign radio stations to broadcast directly on Azerbaijani territory (para. 15)

#### Additional information will be requested in the letter on the following points:

Para. 9: Number of extradition requests submitted to the State party during the last five years, the States making those requests and the number of refusals.

Para. 11: (a) Number of cases in which reparations have been awarded to victims of torture or ill-treatment over the last five years and the nature of those reparations; (b) progress made in the implementation of the 2009–2013 programme for the development of the Azerbaijani justice system and of the bill designed to safeguard the rights and freedoms of pretrial detainees.

Para. 15: Action taken by the State party to provide effective protection for media workers against attacks on their integrity or life.

Para. 18: (a) Measures taken to ensure that temporary identity documents and registration of the Ministry of Internal Affairs as the address for homeless Azerbaijani citizens do not

become factors of discrimination; (b) number of cases involving address registration for aliens or displaced persons over the last five years.

**The State party has not supplied any information on the following points, and the corresponding recommendations have therefore not been implemented:**

- Existence or establishment of a mechanism allowing aliens who claim that their forced removal would put them at risk of torture or ill-treatment to file an appeal with suspensive effect; content of diplomatic assurances in cases of extradition to countries where persons would be at risk of torture or ill-treatment (para. 9)
- Action taken to guarantee the independence of bodies responsible for the receipt and examination of cases and for monitoring the enforcement of sentences (para. 11)

Finally, the systematic use of audio and video equipment in police stations and detention facilities is not guaranteed, and the recommendation has therefore not been implemented (para. 11)

**Next report due:** 1 August 2013

**State party: Chad**

**Report considered:** Initial report (due 8 September 1996), submitted on 18 September 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 10, 13, 20, 32.

**Date information due:** 29 July 2010

**No information received.**

**Action taken:**

*16 December 2010* A reminder was sent.

*20 April 2011* A further reminder was sent.

**Recommended action:** A letter should be sent requesting a meeting between a representative of the State party and the Special Rapporteur for follow-up on concluding observations.

**Next report due:** 31 July 2012

**State party: Netherlands**

**Report considered:** Fourth periodic report (due 1 August 2006), submitted on 9 May 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 7, 9, 23.

**Date information due:** 28 July 2010

**No information received:** *20 July 2011* A telephone call was received from the permanent mission, which indicated that the response was being reviewed and would be forwarded to the Committee before the October 2011 session.

**Action taken:**

*16 December 2010* A reminder was sent.

*20 April 2011* A further reminder was sent.

**Recommended action:** None.

**Next report due:** 31 July 2014

**State party: United Republic of Tanzania**

**Report considered:** Fourth periodic report (due in June 2002), submitted on 16 October 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 11, 16, 20.

**Date information due:** 28 July 2010

**No information received.**

**Action taken:**

*16 December 2010* A reminder was sent.

*20 April 2011* A further reminder was sent.

**Recommended action:** A letter should be sent requesting a meeting between a representative of the State party and the Special Rapporteur for follow-up on concluding observations.

**Next report due:** 1 August 2013

## Ninety-seventh session (October 2009)

**State party: Russian Federation**

**Report considered:** Sixth periodic report (due on 1 November 2007) submitted on 5 December 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 13, 14, 16, 17.

**Date information received:** *22 October 2010* (report due on 24 November 2010) (recommendations not implemented).

**Recommended action:** A letter should be sent in which the Committee takes note of the cooperativeness of the State party and indicates that **no information has been supplied on the following points and the relevant recommendations have therefore not been implemented:**

- Measures taken to conduct a thorough and independent investigation into all allegations of involvement of members of Russian forces and other armed groups in violations of human rights in South Ossetia (para. 13)
- Measures taken to put an end to enforced disappearances, extrajudicial killings, torture, and other forms of ill-treatment and abuse committed or instigated by law enforcement officials in Chechnya and other parts of the Caucasus (para. 14 (a))
- Suspend or reassign State agents during the process of investigation into human rights violations allegedly committed or instigated by them (para. 14 (b))

- Penalties for the perpetrators of crimes, and remedies and redress for the victims (para. 14 (c))
- Measures to protect victims and their families, as well as their lawyers and judges, whose lives are under threat on account of their professional activities (para. 14 (d))
- Types of violations committed by State agents against the civilian population in Chechnya and other parts of the North Caucasus, investigations launched, convictions and penalties in these cases (para. 14 (e))
- Action taken to provide effective protection for journalists and human rights defenders in the Russian Federation (para. 16 (a)) and to ensure the independence and impartiality of investigations into these cases (para. 16 (b))

**Additional information should be requested on the following points:**

- The total number of cases of threats, violent assaults and murders of journalists and human rights defenders over the last five years and criminal prosecutions relating to them (para. 16 (c))
- The proceedings instituted to identify those who ordered the murder of Anna Politkovskaya further to the arrest of the perpetrators in October 2007 (para. 16)
- Action taken to verify information contained in diplomatic assurances and: (a) the number of cases in which a review of the deportation decision has been requested; (b) the decisions taken in this respect (para. 17)

Finally, the Committee should express its concern about the fact that, in the three cases mentioned, the persons suspected of having committed criminal offences were killed during special operations conducted by law enforcement officers (para. 16 (c)).

**Next report due:** 11 November 2012

**State party: Croatia**

**Report considered:** Second periodic report (due on 1 April 2005) submitted on 27 November 2007.

**Follow-up action concerning concluding observations set forth in:**

Paras. 5, 10, 16, 17.

**Date information received:**

*17 January 2011* (report due 4 November 2010): Reply partly satisfactory (para. 5), but incomplete (paras. 5, 10 and 17).

**Action taken:**

*9 May 2011* The Committee sent a letter in which it acknowledged the cooperativeness of the State party but indicated that the implementation of the recommendation **had begun but was not yet completed.**

In that letter, the Committee requested **further information** on: the actual impact of the legislation and plans adopted for the development of the poorest regions of Croatia (para. 5); the total number and range of war crimes committed (para. 10 (a)); the strategy for dealing with war crimes where the alleged perpetrator has not been identified, due to be announced in November 2010 by the State party (para. 10 (b)); and support services for witnesses in courts with special war crimes chambers (para. 10 (c)).

Finally, it pointed out that the State party had not provided any information on the exact number of journalists who had been attacked or intimidated and had made no mention of a

public condemnation of all instances of intimidation and attacks on freedom of the press (para. 17) and that the **recommendation had therefore not been implemented**.

**Recommended action:** The State party's reply should be examined during the next session.

**Next report due:** 30 October 2013

### **State party: Switzerland**

**Report considered:** Third periodic report (due on 1 November 2006) submitted on 1 December 2007.

#### **Follow-up action concerning concluding observations set forth in:**

Paras. 10, 14, 18.

#### **Date information received:**

*1 November 2010* (report due on 1 November 2010).

*23 June 2011* Response to the request for additional information (but the questions asked were not answered).

#### **NGO report received:**

*22 February 2011* Reports from the non-governmental organizations Humanrights.ch/MERS and Schweizerische Flüchtlingshilfe.

#### **Action taken:**

*25 April 2011* While acknowledging the cooperativeness of the State party, the Committee sent a letter indicating that the follow-up procedure has come to an end for a range of issues in respect of which the information provided by the State party is considered to be satisfactory (establishment of an appropriate appeal and complaints mechanism and compensation for victims of the abuse of force and authority by the police (para. 14); and free legal assistance to asylum-seekers during all asylum procedures (para. 18)).

The information provided by the State party in respect of certain questions is, however, considered to be incomplete (representation of foreign minorities in the police force (para. 14)) or totally lacking (creation of a national statistical database on police violence and complaints lodged against the police (para. 14)) and the recommendation has therefore not been implemented.

The State party was asked to provide further information on the following: (a) status of the pilot project and decisions regarding the mandate of the Federal Commission against Racism; (b) financial resources for the prevention of racism and the promotion of tolerance in society; and (c) legal protection and remedies available to victims of discrimination, particularly at work and in access to housing and services (para. 10).

**Recommended action:** A letter should be sent in which the Committee takes note of the cooperativeness of the State party but indicates that it finds the replies to be unsatisfactory.

**Next report due:** 1 November 2015

### **State party: Republic of Moldova**

**Report considered:** Second periodic report (due on 17 January 1992) submitted on 26 October 2006.

#### **Follow-up action concerning concluding observations set forth in:**

Paras. 8, 9, 16, 18.



**Date information received:**

3 December 2010 (report due 4 November 2010) (implementation has begun but has not been completed).

5 March 2011 Reports from the non-governmental organizations Legal Resources Centre (LCR), La Strada and Promo Lex and from human rights lawyer Doina Ioana Straistenau.

6 June 2011 United Nations Country Team.

**Recommended action:**

A letter should be sent in which the Committee acknowledges the cooperativeness of the State party and requests further information on the following points:

- Action taken to establish an official register of the exact number of victims of the events of April 2009 (para. 8 (a))
- Implementation of decisions on compensation and medical and psychological rehabilitation measures adopted by the Special Commission established in April 2010 and by the Commission established in April 2011 (para. 8 (c))
- Reasons for, and action taken with regard to, decisions taken by the authorities in recent months to prohibit peaceful rallies, particularly in respect of lesbian, gay, bisexual and transgender persons (para. 8 (d))
- Number of cases in which victims of torture or other forms of ill-treatment had access to medical care and compensation was awarded to victims (para. 9 (a))
- The specific impact of training programmes for police and prison officials on the fundamental principles applicable to the investigation of cases of torture (Istanbul Protocol) (para. 9 (a))
- Implementation of the National Human Rights Action Plan 2011–2014 as regards access for victims of torture to legal assistance services and medical and social rehabilitation services (para. 9 (b))
- Evaluation of the impact of training programmes for police and prison officials as regards the fundamental principles applicable to the investigation of cases of torture (Istanbul Protocol), and action taken to ensure the independence of the investigating authorities (para. 9)
- Capacity of the police to implement protection orders for victims of domestic violence, particularly in rural areas (para. 16)
- Action taken to promote the rehabilitation and protection of victims, including children, and to establish new shelters for victims of trafficking and domestic violence (para. 18 (b))

**Finally, the State party should be invited to report on the action taken on the issues concerning which it has not provided any information and in respect of which the Committee therefore considers its recommendations not to have been implemented.**

**These issues are as follows:** Measures taken against officers with command responsibility and information on their suspension from duty during the conduct of the investigation (para. 8 (b)); enforcement of the law prohibiting the admission of evidence obtained through torture; establishment of an independent authority for detailed investigation of complaints of torture and other forms of ill-treatment (para. 8 (b)); broadening the implementation of measures to protect victims of trafficking (para. 18).

**Next report due:** 31 October 2013

## Ninety-eighth session (March 2010)

### **State party: Ecuador**

**Report considered:** Fifth and sixth periodic reports (due in 2001 and 2006 respectively) submitted as a single document on 22 January 2008.

**Follow-up action concerning concluding observations set forth in:**

Paras. 9, 13, 19.

**Date information due:** 4 November 2010

**Information received:** 2 August 2011

**Action taken:**

*10 May 2011* A reminder was sent.

**Recommended action:** The State party's replies should be analysed during the next session.

**Next report due:** 31 October 2013

### **State party: New Zealand**

**Report considered:** Fifth periodic report (expected on 31 October 2003, given in 25 November 2008).

**Follow-up action concerning concluding observations set forth in:**

Paras. 12, 14, 19.

**Date information due:** 26 March 2010

**Date information received:** 19 April 2011

**Recommended action:** The State party's replies should be examined at the next session.

**Next report due:** 30 March 2015

### **State party: Uzbekistan**

**Report considered:** Third periodic report (submitted on time).

**Follow-up action concerning concluding observations set forth in:**

Paras. 8, 11, 14, 24.

**Date information due:** 26 March 2010

**Date information received:** None received.

**Recommended action:** A reminder should be sent.

**Next report due:** 30 March 2013

### **State party: Argentina**

**Report considered:** Fourth periodic report.

**Follow-up action concerning concluding observations set forth in:**

Paras. 17, 18, 25.

**Date information due:** 4 November 2010

**Date information received:** 24 May 2011 (incomplete)

*29 June 2011* Report received from non-governmental organizations.

*18 July 2011* Information received from the Ministry of Justice and Human Rights of Mendoza Province.

**Recommended action:** A letter should be sent in which the Committee takes note of the cooperativeness of the State party and the detailed nature of the information supplied by the Office of the Secretary for Human Rights of Argentina and the Ministries of Justice and Human Rights of Buenos Aires and Mendoza and in which it requests the State party to provide up-to-date information on any developments relating to prison overcrowding and to steps to ensure compliance with article 10 of the Covenant and with the Standard Minimum Rules for the Treatment of Prisoners. In particular, the State party should be invited to apprise the Committee of the number of cells in each federal and provincial prison, their size and the exact number of persons held in each cell.

In its letter, the Committee should also request additional information on the following points:

Para. 17: (a) enforcement of court orders mandating the closure of some prisons and detention centres; (b) legal obligations concerning prisoners' access to the services of lawyers and doctors; (c) mandatory audio-visual recording of the period during which a person is held in police custody; and (d) the enforcement of these requirements;

Para. 18: (a) The State party should be requested to provide a copy of Decree 168 together with information on the "political authority" referred to therein, which, according to the information sent in the follow-up report, centralizes the powers of investigation and disciplinary action with respect to cases of violent death, torture, cruel or inhuman treatment, or any other form of abuse. What are the powers of this authority? In how many cases has it taken action? What were the results of its intervention?

(b) The Committee should request the State party to provide a summary of the information held in the databases of the Supreme Court of the Province of Buenos Aires, the Public Prosecutor's Office and the Defensoría Pública (Public Defender's Office), on cases of torture and other cruel, inhuman or degrading treatment or punishment;

(c) The Committee should request information on progress made with respect to the adoption of draft legislation for the establishment of an independent national mechanism for the prevention of torture, as provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Committee should also request the State party to provide information on progress made on the corresponding regional bills.

Para. 25: (a) Existing plans concerning the eviction of indigenous communities at the end of the scheduled four-year suspension of such measures under Act No. 26/160;

(b) Measures taken against government officials who have acted in violation of Act No. 26/160 during the past five years.

No information has been received about efforts to implement the programme under which a legal cadastral survey of indigenous communities' lands is to be conducted or about the investigation of acts of violence or the punishment of those responsible for them. The relevant recommendation has therefore not been implemented (para. 25).

Finally, in its letter the Committee should thank the State party for the information supplied with respect to paragraph 16 of the concluding observations concerning pretrial detention and indicate that this information, which was not requested as part of the follow-up procedure, will be taken into account during the consideration of the next periodic report.

**Next report due:** 30 March 2014

**State party: Mexico**

**Report considered:** Fourth periodic report (due on 31 July 2002, sent on 17 July 2008).

**Follow-up action concerning concluding observations set forth in:**

Paras. 8, 9, 15, 20.

**Date information due:** 26 March 2011

**Date information received:**

21 March 2011 Reply satisfactory on the whole (paras. 8 and 9) and request for additional information (paras. 15 and 20).

**Recommended action:** A letter should be sent in which the Committee acknowledges the cooperativeness of the State party and the detailed nature of the information provided and in which it indicates that the follow-up procedure has been completed with respect to the issue concerning which the replies provided by the State party were considered to be largely satisfactory (paras. 8 and 9). In order to ensure proper follow-up, the State party should be requested to include information in its next periodic report on progress made on the prevention of violence against women and the protection of women, the impact of such progress on the number of women victims of violence and the processing of cases by the federal and state authorities (para. 8), as well as on the authority and the human and financial resources made available to the institutions established to investigate violence against women in Ciudad Juárez and the impact that this has had on the number of women victims of violence and the processing of cases (para. 9).

The letter should also include a request for additional information on the following points:

- Para. 15: (a) The number of cases in which *arraigo* detention has been employed in the last five years; (b) the crimes in respect of which such detention has been imposed; (c) the length of *arraigo* detention in such cases; (d) the measures taken to guarantee defence rights in all cases where *arraigo* detention has been imposed; (e) the conditions for referring cases to the judge responsible for monitoring *arraigo* detention, particularly the periods of time governing action by the judge and the means of redress should the request for such action be rejected
- Para. 20: The measures taken at federal level to encourage the decriminalization of defamation in states where it is still a criminal offence

**Next report due:** 30 March 2014