



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

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## Committee against Torture Sixty-eighth session

### Summary record of the 1798th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 20 November 2019, at 10 a.m.

*Chair:* Mr. Modvig

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*The meeting was called to order at 10 a.m.*

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

*Sixth periodic report of Latvia (CAT/C/LVA/6; CAT/C/LVA/QPR/6)*

1. *At the invitation of the Chair, the delegation of Latvia took places at the Committee table.*
2. **Mr. Pelšs** (Latvia) said that Latvia unequivocally condemned torture and cruel, inhuman or degrading treatment or punishment and that its authorities worked closely with international and supranational organizations to prevent all forms of ill-treatment. His Government was very pleased that Ms. Ilvija Pūce, a Latvian lawyer and human rights experts, would shortly be joining the Committee. In Latvia, an express prohibition of torture was established in article 95 of the Constitution, while definitions of torture and various forms of ill-treatment were contained in the Criminal Law enacted in 2015.
3. One of the main advances in the area of torture prevention achieved during the reporting period had been the establishment of the Internal Security Bureau, whose duties included investigating allegations of unlawful conduct by State actors. The Bureau operated a helpline that had experienced a near three-fold increase in calls in recent years and was referring an increasing number of complaints to the prosecution service. The Bureau had thus contributed to significant improvements in the investigation of alleged misconduct and had gained the trust of persons affected by or for other reasons aware of potentially criminal behaviour on the part of officials.
4. Another significant advance, completed in early 2018, had been the reform of the judicial map. The reform would help to balance court caseloads between regions, to increase specialization among judges and the overall quality of rulings, to reduce the length of proceedings and to ensure more efficient use of resources. Prison infrastructures had also been improved and material conditions for inmates had been eased, notably through the adoption of new forms of communication, including video calls, effective enforcement of the four-square metres per inmate rule and the introduction of new treatment programmes to reduce addiction. The construction of a new prison in Lipāja was a current Government priority.
5. Fundamental legal safeguards had also been strengthened since 2014, thanks to amendments of the Criminal Procedure Law, the Criminal Law and the Civil Procedure Law that together served to facilitate reporting and enhance protection for victims of violence of different forms, including domestic violence and trafficking in human beings. The efficacy of the new measures was reflected in statistical data showing that restraining orders were actively sought by those in need of protection and in an increasing awareness and acceptance that domestic violence merited zero tolerance. To further increase efficiency, the authorities were working to develop an inter-institutional model for the prevention and early detention of intrafamily violence that would be acceptable for all stakeholders as well as financially viable.
6. The Government had also been working to improve the availability of appropriate health care for vulnerable persons, to raise awareness of mental health issues and to promote early diagnosis, intervention and rehabilitation. Planned measures in that area included better outpatient treatment options for persons with mental and behavioural disorders and better training for physicians.
7. Latvia recognized that competent and well-trained officials were essential to ensure respect for human rights and, during the reporting period, the authorities had run numerous training sessions for civil servants, law enforcement agents and members of the judiciary that covered international law and human rights law, among other topics. Judges, prosecutors, police officers and prison staff were all offered regular opportunities for professional development, whether through lectures on effective enforcement of the prohibitions of torture or seminars and workshops organized at the national and international level.
8. Lastly, he wished to highlight that the Ombudsman's Office, which served as the national human rights institution, had been awarded additional funding to enable it to fulfil its new mandate as national preventive mechanism, and that, as of March 2018, the

mechanism had been successfully monitoring conditions in prisons, orphanages, boarding schools, psychiatric facilities and other institutions. The Ombudsman's Office had also provided valuable input for the periodic report.

9. **Mr. Rodríguez-Pinzón** (Country Rapporteur) said that the Committee recognized the State party's considerable efforts to bring the legal framework for the prevention of torture into line with the Convention and the effective prohibition of torture that was enshrined in the Constitution, but it would nonetheless like to see a comprehensive, stand-alone definition of torture, which was in line with article 1, incorporated in national legislation. He would therefore like to know of any plans to amend the Criminal Law to include such a definition, as recommended in the Committee's previous concluding observations (CAT/C/LVA/CO/3-5, para. 8).

10. He would appreciate clarification as to whether national legislation criminalized all acts by which pain or suffering was inflicted by or at the instigation of or with the consent or acquiescence of a public official; it was not clear whether article 317 of the Criminal Law, which addressed abuse of authority, included those acts in its scope. He had also been unable to identify any express mention of acts of torture motivated by discrimination and therefore invited the delegation to explain how that element of the definition contained in article 1 was incorporated in national law.

11. He was concerned that acts of torture that left no visible physical sequelae on the victim's body might be considered slight bodily injuries, pursuant to article 130 of the Criminal Law, and that the punishment for those responsible might consequently be no more than a short prison sentence, community service or a fine. Clarification as to what constituted serious, moderate and slight bodily injuries pursuant to articles 125 to 130 of the Criminal Law, supported by examples of each category, would therefore be useful, along with examples of specific acts of torture that might fall under the scope of article 130.

12. Noting that article 317 established a maximum prison term of 10 years for acts of torture committed by public officials, he asked whether there was also a minimum term for such offences or whether officials might in some cases escape without a custodial sentence. The delegation should also indicate whether the same penalties applied to acts inflicted by or at the instigation of or with the consent or acquiescence of a public official: if they did not, and such acts were subject to the less stringent penalties provided for in article 317, the punishment could not be considered proportionate to the gravity of the offence. The penalties established in article 129 for acts of intentional bodily injury likewise did not appear commensurate with the gravity of the offences, and he would appreciate clarification as to how those provisions were applied.

13. The State party had provided figures for the number of cases in which disproportionate force had been used but the figures were insufficiently disaggregated to allow the Committee to ascertain the number of cases that involved torture. The Committee would appreciate appropriately disaggregated data, for each year of the reporting period, showing the number of criminal cases involving each of the various forms of torture and ill-treatment addressed in articles 125, 126, 130, 137 and 138 of the Criminal Law and the number that had resulted in convictions. He would also like to know whether the State party had considered reviewing the statute of limitations currently applicable to torture offences; what penalties were applicable for cases of attempted torture; whether any persons had even been prosecuted for attempted torture; and, if they had, what the outcome of the proceedings had been.

14. He would appreciate assurances that all persons deprived of their liberty enjoyed the right to be informed of the reasons for their arrest, in law and in practice. In view of reports that persons deprived of their liberty were not always informed of their right to contact a lawyer of their choosing or to have legal assistance assigned to them from the outset of detention, and were thus sometimes questioned without a lawyer present, details of any additional preventive measures adopted to guarantee that right would be useful. The delegation should also indicate how frequently lawyers were permitted to visit defendants in their place of detention and for how long. He had been concerned to learn that, in some cases, the legal assistance assigned by the State was insufficient to guarantee defendants' right to a real and effective defence and that the number of complaints of limited access to justice had risen. He would therefore be interested to hear what mechanisms were used to monitor the performance of State-appointed lawyers and ensure that they provided a quality

service. The delegation should also clarify whether restrictions on the scope of State legal services prevented defendants who lacked financial means from bringing cases before the European Court of Human Rights.

15. More information on the use of pretrial detention would be helpful, including figures for the number of persons detained on remand in each year from 2014 to 2019 and details of the criteria used to distinguish between minor and serious offences – a distinction that apparently had a bearing on the maximum permitted period of pretrial detention. It would also be useful to know whether the seven-day limit on the number of days that a person could be detained in a short-term detention facility also applied to persons held in small police station units. If it did not, he wondered whether the State party planned to amend the law to extend the limit to those units or whether a different limit applied to police custody.

16. Referring to paragraph 33 of the State party's report (CAT/C/LVA/6), he asked why, since 2014, there had been an upward trend in the duration of proceedings before regional criminal courts. With regard to paragraph 39, he asked why the State Security Service was not subject to supervision by the Internal Security Bureau, and which body was responsible for the efficient, objective and independent investigation of criminal offences committed by officials and employees of the Service. He invited the delegation to comment on whether the fact that both the Bureau and the State Police were attached to the Ministry of Interior undermined the independence of the mechanism to investigate complaints and allegations concerning physical violence and ill-treatment by police officers, and on whether the Bureau could not instead be placed under the authority of the Attorney General's Office, for example.

17. He would be grateful for disaggregated data on the investigation of complaints of ill-treatment and excessive use of force by law enforcement personnel. It was worrying that, of the 330 individual complaints of violence received by the Internal Security Bureau between 1 November 2015 and 31 December 2016, which were mentioned in paragraph 41 of the report, only 8, or less than 2.5 per cent, had led to a criminal conviction. He would welcome statistics on the number of criminal convictions handed down in 2017, 2018 and 2019 as a result of such complaints. Turning to paragraph 47 of the report, he requested up-to-date figures, disaggregated by year, on the number of officials who had been suspended while criminal proceedings had been pending against them.

18. Concerning annex II to the State party's report, he asked whether the training on inhumane treatment and the prohibition of torture provided to State Police officers between 2014 and 2018 had included a module on the provisions of the Convention, whether the training had been delivered consistently, bearing in mind that no officials had received it in 2016, what the content of the informal education programmes had been and how the State party was evaluating the impact of the training on the incidence of torture and ill-treatment involving State Police officers.

19. He would be interested to hear the delegation's thoughts on claims that, despite recommendations from the Global Alliance of National Human Rights Institutions, the Office of the Ombudsman was affected by financial constraints that, for example, prevented it from guaranteeing the physical accessibility of its premises for persons with disabilities and from paying its employees the same wages as those earned by the employees of other State bodies, in violation of the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The delegation should indicate whether there were plans to increase the Office's budget and whether the Government supported an initiative that had apparently been launched to incorporate provisions on the Office into the Constitution.

20. In reference to annex IV to the State party's report, he asked why the number of cases of family conflict handled by the State Police had risen by around 20 per cent between 2014 and 2016, before dropping back to 2014 levels in 2018, and whether the State party had adopted any measures during the period under review that might explain those fluctuations. In that connection, he would be pleased to receive statistics on the number of cases of domestic violence that had resulted in criminal complaints, criminal proceedings and convictions since amendments to the Criminal Law had entered into force on 1 January 2018.

21. In annex IV, the State party also provided information on the number of criminal cases of violence against minors that had been brought to court between 2014 and 2018. He

wished to know the State party's assessment of the figures, and, in particular, of why the number of cases brought under article 174 of the Criminal Law had decreased significantly during the period in question, while the number brought under article 160 had grown year on year, with the exception of 2017.

22. Regarding paragraph 65 of the report, he asked why the number of public officials who had been given training on the protection of the rights of the child had fallen sharply from 1,343 in 2014 to 41 in 2016. Up-to-date statistics in that respect would be welcome.

23. Noting with concern that an estimated 39 per cent of Latvian women had suffered physical and/or sexual violence after the age of 15 years, that there had nevertheless been only 24 reported cases of rape and 11 cases of other forms of sexual violence against women in 2015, and that, according to the European Commission, a little over 60 per cent of the Latvian population trusted the police, which was below the European average of 70 per cent, he requested information on the number of reported cases of rape or other forms of sexual violence against women since 2016, and asked what measures the State party was taking to build trust in the police, particularly among victims of sexual and gender-based violence.

24. In reference to paragraph 94 of the report, he asked what sentences had been imposed under articles 154 and 164 of the Criminal Law in each of the recorded criminal cases of trafficking in human beings between 2014 and 2016, and requested statistics on the number of criminal convictions handed down under the two articles since 2017 and details of the punishments imposed. The delegation should explain what measures had been or were being considered to prevent the alleged practice of prosecuting trafficking offences under article 164, which provided for less severe punishments, rather than article 154.

25. Noting that, according to annex II to the State party's report, the number of State Police officers who had received training on trafficking in human beings between 2014 and 2018 had been very small, he asked how many border guards, prosecutors, lawyers, judges and other judicial officials had been given such training each year since 2014, and what had been done to remedy the shortcomings in the training of local government employees and the insufficient awareness of staff about the process of granting social rehabilitation services that were mentioned in paragraph 105 of the report. He would be grateful for explanations of whether the training on trafficking in human beings addressed the prosecution and punishment of perpetrators, and of whether the State party had evaluated the impact of the training in practice.

26. On 17 October 2019, the Saeima (Parliament) had passed a bill pursuant to which all children born on the territory of the State party to resident parents who were not citizens of Latvia would, from 1 January 2020 onwards, be granted Latvian citizenship automatically. However, according to the information at the Committee's disposal, Parliament had not extended automatic citizenship to all stateless children under 15 years of age. He invited the delegation to confirm whether that was true, and, if it was, to indicate whether additional measures were being considered to rectify the situation. He would appreciate a description of any other efforts being made to facilitate the naturalization of persons eligible for citizenship, including through awareness-raising measures and the relaxation of relevant requirements and procedures, bearing in mind that, in January 2018, there had still been 233,393 "non-citizens" living in Latvia. An indication of whether the bill passed on 17 October 2019 had been approved by the President would also be welcome.

27. The Committee had received reports that, in practice, it was difficult for asylum seekers to exercise their rights during the asylum procedure owing to a lack of legal assistance at border crossings, the short deadlines for availing themselves of available remedies, the lack of suspensive effect of, and information about, those remedies, and, occasionally, inadequate communication. He wished to know what steps were being taken to overcome those obstacles, and whether the State party intended to revise the Asylum Law in order to extend the deadline for appeals and establish that such appeals had suspensive effect, which was a fundamental obligation flowing from article 3 of the Convention.

28. In addition, he would be interested to learn whether the State party was considering revising the Law to provide explicitly for an exemption from detention for persons with special needs. Statistics on the number of minors detained each year since 2013, an

indication of how many had been unaccompanied minors or separated children, and details of how long they had been detained, would also be appreciated.

29. He invited the delegation to comment on allegations that the “Daugavpils” centre for detained foreigners was ill-equipped to accommodate minors, since, for example, there was no children’s room or staff specialized in organizing activities for minors. If the allegations were true, he would be glad of information on whether measures were planned to resolve the situation.

30. Referring to annex V to the State party’s report, in which it was indicated that, between 2014 and 2016, victims of serious bodily injury had received an average of €1,200 in State compensation, while victims of moderate bodily injury had been granted an average of around €800, he asked how the amounts, which seemed low given the severity of the violations in question, were determined, bearing in mind that the State party had a duty to provide appropriate and proportional redress. The delegation should confirm whether it was true that victims in criminal cases had the right to claim compensation from perpetrators, and, if so, provide details of the compensation awarded to victims of torture and ill-treatment each year since 2014, including information on the number of cases, the number of victims who had received compensation and the amounts granted. He would be grateful for an explanation of whether victims could file claims for compensation from perpetrators even if they had already been given compensation by the State.

31. **Ms. Racu** (Country Rapporteur) said that she would welcome information on whether the training provided to judges, prosecutors, court officials, lawyers and law enforcement and prison personnel included mandatory modules on all the provisions of the Convention, in particular those relating to the absolute prohibition of torture. She would be interested to know whether training sessions on torture and ill-treatment were tailored to the needs of those target groups, how many law enforcement officials, judges, medical professionals, prosecutors and prison staff had received training on the obligations under the Convention in recent years and how many still required such training.

32. She would be pleased to receive more detailed information about the training given to police officers on new interrogation techniques, including non-coercive questioning. She asked how many police officers had received such training, how effective the training was, and whether training on how to gather evidence and conduct interrogations lawfully was an integral part of the curriculum for future law enforcement officials and prosecutors. The delegation should indicate whether police officers received training on the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

33. It was unclear how the authorities used the findings of surveys and questionnaires evaluating the effectiveness of training given to police personnel. She would welcome confirmation that they were taken into account when designing future programmes for law enforcement personnel. She would like to know whether medical personnel who worked with prisoners had received training on the Istanbul Protocol. If so, she would be grateful for details of any assessments of the impact and effectiveness of that training. It would also be useful to learn whether military personnel, intelligence officers and security guards had received training on the prevention of torture and the use of force.

34. She would be interested to know how many visits to places of detention had been conducted by the Office of the Ombudsman in the past four years. It would be helpful to learn how many detainees and how many detention facilities were visited annually, whether the findings of those visits were made public and with what frequency. It was unclear whether medical professionals, including psychiatrists, were part of the monitoring teams that conducted visits. She would welcome the delegation’s comments on the extent to which the opinions and recommendations of the Office of the Ombudsman were taken into account by law enforcement agencies and other State institutions. She would appreciate clarification of whether human rights NGOs had access to all places of deprivation of liberty and, if so, whether NGO representatives were able to speak confidentially with detainees. She would be grateful for an update on whether the State party intended to sign and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

35. Turning to the issue of detention conditions, she said that the Government had made commendable efforts to renovate police detention facilities and to close the temporary

detention facility at Dobeles police station. Nevertheless, the Committee was concerned at reports of unsuitable conditions in basement detention units located in police stations. She wished to know to what extent the standards recommended by the Council of Europe Anti-Torture Committee and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) had been considered in the planning of the renovation works. It would be interesting to hear about the plans, including any timelines, to upgrade the remaining police detention units, in particular those at the Limbaži and Valmiera police stations.

36. The Committee would welcome an update on the construction of new prison facilities that had been postponed for a number of years, as well as on the renovation works at the Grīva branch of Daugavgrīva Prison. The Committee was concerned about conditions at Riga Central Prison; information would be appreciated on the measures taken at that facility to improve the occupancy rate, the amount of living space allocated per inmate and the general infrastructure, as well as to relocate the rooftop exercise yards.

37. The lack of support and infrastructure for prisoners with disabilities was also a concern for the Committee. She would welcome an update on the steps being taken to implement the recommendation of the Office of the Ombudsman that detention facilities should be made accessible for persons with disabilities.

38. The State party had made some progress in reducing inter-prisoner violence; nevertheless, challenges remained in that regard. The Committee would be grateful for details of the number of violent incidents, including self-harm and suicide, that had been recorded during the reporting period, as well as of the measures being taken to prevent such incidents. Information on any long-term strategies to tackle inter-prisoner violence would be welcome. She would appreciate a description of how violent incidents were investigated, and of any specific legislation governing the prevention and investigation of violence in prisons. It would be useful to hear about the mechanisms in place for the reporting and recording of violent incidents and any initiatives, including psychosocial programmes, to avoid reprisals against victims of violence and to protect vulnerable categories of prisoners.

39. According to the information provided to the Committee, solitary confinement was widely used in the State party, both as a form of punishment and as a means of protecting prisoners. She would welcome clarification of whether that measure was applied to all categories of prisoners, including minors, and of whether prisoners were able to appeal against a decision to place them in solitary confinement. It would be useful to learn about any plans to reduce the maximum permitted length of solitary confinement for disciplinary purposes. It was unclear whether prisoners in solitary confinement were permitted to receive family visits.

40. The Committee was concerned about the reportedly serious staff shortages in the prison system, notably in Daugavgrīva prison, Jelgava prison and Riga Central Prison. The lack of relevant information in the State party's report made it difficult for the Committee to assess the quality of prison staffing and recruitment; details of the number of staff employed in the prison system would therefore be appreciated. It would also be helpful to hear about any steps that had been taken to improve staffing levels and managerial competencies in the system, including with regard to crisis management and violence prevention. Statistics on the use of physical force against prisoners by prison staff would be useful.

41. The Committee had been pleased to learn that the State party had begun to implement its recommendation to integrate prisoners serving life sentences into the general prison regime. It would be grateful for details of the number of prisoners who were serving life sentences and of how many of them had been transferred to the general regime. The Committee would welcome clarification of whether prisoners serving life sentences were able to submit complaints and to speak confidentially with representatives of monitoring bodies. It would also appreciate an account of any collective or individualized employment, education or other initiatives that were made available to prisoners serving life sentences. Information on whether such prisoners were accommodated in individual or shared cells would be helpful.

42. Concerns had previously been raised over the provision of health services in prisons, notably with regard to the shortage of doctors and other medical personnel, the low salaries paid to such personnel and the difficulties prisoners encountered in obtaining medications.

There were also indications that injuries recorded upon admission to detention facilities were not systematically reported to the competent investigative authority. The Committee would welcome an account of any improvements that had been made in connection with those issues, particularly with regard to the reporting of violent incidents. It would be useful to receive more details about the 14 complaints of violence received by the Office of the Ombudsman in 2016, including the outcome of the resulting investigations. An update would be appreciated on the measures taken to increase the number of medical staff, including psychiatrists, working in prisons, as well as on any other initiatives to improve material conditions and access to health care, including medicines and medical equipment, in prisons.

43. It would be useful to learn about the programmes in place to address drug and alcohol addiction and to provide harm reduction and psychiatric care services. She would be grateful to know how many prisoners were benefiting from the services available from the Drug Addiction Centre, as well as whether the Centre offered psychological or other therapeutic activities.

44. The State party had previously indicated that it intended to amend the Criminal Code and the Code of Criminal Procedure to encourage the increased use of alternative measures to detention for juveniles in conflict with the law. The Committee would be grateful for an update on the planned amendments and their content, as well as on their implementation if applicable. It would also appreciate the delegation's comments on reports that juveniles on remand spent most of their time locked in their cells, with little opportunity for exercise or recreational activities. It would be helpful to hear about any plans to improve the amount of contact juveniles were permitted to have with the outside world.

45. Clarification would be welcome regarding the State party's use of disciplinary sanctions, including solitary confinement, for juveniles. She wished to know how many times juveniles had been placed in solitary confinement and how many days they had spent there during the reporting period. It would be useful to know if there were any plans to review the disciplinary sanctions imposed on minors.

46. She would appreciate an update on the situation of women in prison. In particular, she wished to know how many women were currently imprisoned and in pretrial detention, and what measures had been taken by the Government to improve conditions of detention for women. She would be interested to hear how many detained women attended academic or professional training programmes and whether any programmes were being implemented with the support of civil society organizations. When was the last time NGOs and government representatives had visited the Ilġuciems women's prison?

47. She would like to know what budget had been allocated to the plan for improving the accessibility of mental health care for the period 2019–2020 and whether the plan took into account the recommendations of the Committee and of the Council of Europe Anti-Torture Committee concerning the functioning of psychiatric institutions in Latvia. She would be interested to learn whether a specific regulation on the procedures for the restraint of psychiatric patients who displayed violent behaviour had been completed and, if so, what the procedures were and whether the regulation was in line with existing standards for the treatment of persons in psychiatric care institutions.

48. The Council of Europe Anti-Torture Committee had reported that patients under restraint at Strenči Psychiatric Hospital had not been placed under permanent, direct and personal supervision by a qualified member of staff and that patients were frequently subjected to such restraint in full view of other patients. She wished to know what criteria were used by staff to determine which patients needed to be restrained, who decided when restraints would be used and who reviewed the decision. She wondered what protocols were followed to determine how long patients would be restrained and to ensure that they were supervised. Did staff in psychiatric institutions receive the necessary training on the use of mechanical restraints and other types of seclusion? She asked what steps the State party had taken to recruit psychiatrists to address the shortage of such staff at Strenči Psychiatric Hospital. It would be useful to know exactly what complaints had been made regarding the health care provided to mental health patients and what the outcome of those complaints had been.

49. **Ms. Gaer**, noting that the domestic violence reporting procedure had been simplified for vulnerable victims, including minors and human trafficking victims, said that she wished to know whether any such provision had been for lesbian, gay, bisexual and transgender persons. Did sexual orientation constitute an aggravating factor in domestic violence cases? Given that discrimination on the basis of sexual orientation had been banned under the State party's labour laws, she would be interested to hear whether there were any plans specifically to prohibit such discrimination in any other contexts. She asked whether any statistics were available on criminal cases brought or penalties imposed for violence against persons based on their sexual orientation or gender identity in places of detention, and whether the police received any training on how to deal with such cases.

50. Since the vast majority of the persons responsible for acts of domestic violence were male, she wished to know what percentage of the police officers and judges were male and whether they received special training on domestic violence. She would welcome confirmation as to whether it was true that there were no government-run shelters for domestic violence victims.

51. She wondered whether any data were available regarding the number of complaints received by the Ombudsman in relation to the conditions in care facilities for older persons and the outcomes of any such complaints. Were those facilities visited by any monitoring bodies? If so, she would like to know how many visits had taken place.

52. It would be useful to have gender-disaggregated data on inter-prisoner violence. She asked how the police dealt with informal prisoner hierarchies and whether they had been able to break down those hierarchies to ensure that prison standards were met.

53. **Ms. Belmir** said she was concerned by reports that judges always granted requests from border guards to extend the detention of asylum seekers beyond the normal six-day period. She would appreciate an explanation of the role of judges and border guards in receiving free legal aid applications from detained migrants. She wished to know what steps had been taken to improve prison conditions for persons with disabilities in the light of cases where such persons had been harassed, neglected by the prison authorities and incarcerated for extended periods of time.

54. **Mr. Hani** said that, according to the shadow report submitted by the Ombudsman, there was an alarming number of children in psychiatric institutions, equivalent to 0.5 per cent of the child population. Many had not been admitted on valid medical grounds and some children were subjected to polypharmacy and given high doses of medicines that, in some cases, were unsuitable for children. In half of the country's psychiatric hospitals, children were accommodated alongside adults, and excessive use was made of mechanical and chemical constraints. He would appreciate confirmation as to whether those reports were accurate and he would be grateful for up-to-date information about the number of children who had been admitted to psychiatric hospitals during the period from 2015 to the start of 2019. He wished to know what urgent measures would be adopted by the Government in order to address those issues. He asked what would be done to raise awareness of the United Nations Voluntary Fund for Victims of Torture among civil society organizations. Did the Government intend to contribute to the fund?

55. **The Chair** said that he would welcome an overview of the contents of Regulation No. 276 on the procedure regarding the health care of detained and convicted persons, since no English version was available. He wished to hear more about the procedures for the initial medical examination under the Regulation. Did it comply with the Nelson Mandela Rules? He would be interested to learn whether cases of torture or ill-treatment had been identified through the procedures and, if so, which competent authority they had been reported to. If they were reported to the Prison Administration, he wished to know whether that body was responsible for deciding whether to pursue legal action. It would be useful to have statistics on the number of complaints of ill-treatment submitted to the Prison Administration, with an indication as to whether the injury had been caused by other prisoners or by prison staff.

56. He wished to know how the clinical independence of medical staff was assured in view of the fact that the prison health-care system fell under the authority of the Prison Administration. He would appreciate an overview of the staffing of the system, including the number of full-time doctors and nurses. He wondered whether the number of staff members had increased in recent years and whether the current staffing levels were

sufficient. It would be helpful to have figures on the number of deaths in prisons. He would be grateful if the delegation could clarify how the Health Inspectorate assessed the quality of health care provided to prisoners, given that it was unclear from the State party's report (CAT/C/LVA/6, para. 167). Had the Inspectorate made recommendations to the prison health authorities in terms of improving the quality and organization of health care as a result of the inspections it had carried out and, if so, had the recommendations been implemented? He asked whether the delegation could confirm that prison staff had not in any way been involved in any of the health service's functions.

57. **Mr. Rodríguez-Pinzón** said that he wished to know whether the State party had received any requests for extradition of individuals suspected of having committed torture since the submission of the State party's report. He asked whether civil cases could be brought in order to obtain compensation from perpetrators, including State officials and private individuals, who had been convicted of torture or ill-treatment and, if so, how much compensation was paid on average and how those sums were arrived at. Had any victims received compensation from the State? He would be interested to learn what type of forced labour prisoners had carried out until its abolition, and whether the work was done inside or outside of detention centres.

58. Lastly, he enquired whether the State party intended to make a declaration under article 22 of the Convention to allow the Committee to receive and consider individual communications, and whether it intended to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

*The meeting rose at 12.45 p.m.*