



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

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Committee against Torture Seventy-first session

Summary record (partial)* of the 1827th meeting

Held via videoconference on Monday, 12 July 2021, at 12.30 p.m. Central European Summer Time

Chair: Mr. Heller (Vice-Chair)

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 12.30 p.m.

Opening of the session

1. **The Chair** declared open the seventy-first session of the Committee against Torture and welcomed the new member of the Committee, Mr. Vedel Kessing.
2. **Mr. Korkeakivi** (Office of the United Nations High Commissioner for Human Rights (OHCHR)), speaking on behalf of the Secretary-General, said that the work of the human rights treaty bodies was still affected by the coronavirus disease (COVID-19) pandemic. At the same time, human rights violations, particularly against victims of torture and human rights defenders, had continued or even increased. In that context, strong and united messages on human rights were critical. An example was the joint statement issued by the four United Nations anti-torture mechanisms on the United Nations International Day in Support of Victims of Torture, in which they had called on States to respect and uphold the right to redress.
3. The treaty bodies' informal working group on COVID-19 had contributed to the continuous functioning of the treaty body system in recent months. The group had, inter alia, helped to address technical and other challenges and facilitated interaction – including at regional webinars organized by OHCHR – on substantive human rights issues related to the pandemic, notably the impact of COVID-19 on mental health and the role of human rights mechanisms and standards in that regard.
4. Despite the Committee's efforts to avoid a protection gap with respect to the rights enshrined in the Convention, the pandemic had hampered the fulfilment of its mandate. While virtual sessions had helped ensure continuity of work, they entailed a range of limitations and challenges, related to time differences, the availability of interpretation and Internet connectivity issues for example. Moreover, Committee members received no compensation or honorarium for the time they spent working online. Under such circumstances, the Committee's decision to pilot, at the current session, an online focused State party review was to be commended.
5. The virtual format was challenging for Committee members and the secretariat alike. However, improvements in the public health situation, the lifting of many travel restrictions by the host country authorities and the end of the temporary freeze on the United Nations regular budget, which had prevented spending on experts' travel, would soon allow for a return to in-person meetings in Geneva. OHCHR was preparing for a resumption in September 2021 and was working towards that goal with other United Nations entities and in close consultation with all treaty bodies.

Adoption of the agenda (CAT/C/71/1)

6. *The agenda was adopted.*

Organizational and other matters

7. **The Chair** said that the Committee had held only two curtailed virtual sessions since the start of the pandemic. Despite the adverse circumstances, it had continued some of its activities. The rapporteur on new complaints and interim measures, the rapporteur for follow-up to concluding observations, the rapporteur for follow-up to decisions on complaints and the rapporteur on reprisals had all been carrying out their tasks. In addition, the Committee had adopted a number of lists of issues and lists of issues prior to reporting, while the working group on communications had recommended the discontinuance of various cases following online discussions.
8. The Committee had been represented in the treaty bodies' informal working group on COVID-19 by Mr. İşcan, who had reported back on his active participation. Several other Committee members had attended Convention-related conferences organized by OHCHR, States, the Convention against Torture Initiative, national human rights institutions, national preventive mechanisms and non-governmental organizations.
9. As Chair, he had participated in all the meetings of the Chairs of the human rights treaty bodies, which had focused on the treaty body strengthening process. He, and

representatives of the other United Nations anti-torture mechanisms, had taken part in a webinar on the subject of fostering civic space to obtain redress and accountability for victims of torture, organized to mark the United Nations International Day in Support of Victims of Torture and the fortieth anniversary of the United Nations Voluntary Fund for Victims of Torture.

10. Following the meeting of the Chairs of the human rights treaty bodies held in June 2021, plans had been announced to submit to the General Assembly a unilateral proposal by the Chair of the meeting, which had not been discussed by the other participants. With the support of the Committee, he and other Chairs had expressed the unacceptability of submitting a text that did not command consensus among all treaty body members.

11. At its seventieth session, the Committee had decided to accept the offer of Belgium to participate in an online State party review, on the basis that the use of such a format was exceptional, did not set a precedent for the future and would not be imposed on any State party. At the current session, in addition to the review of Belgium, the Committee would prioritize consideration of the backlog of individual communications awaiting decisions on the merits.

12. Regrettably, the Committee was for the moment unable to carry out all its mandated tasks owing to a combination of difficulties, not least the financial crisis affecting the human rights system. At the end of 2020, the General Assembly had decided not to approve an increase in resources for the treaty bodies, needed to process the increased volumes of individual communications. One result was that additional services, such as interpretation for meetings of the Committee's working group on communications, could not be provided. At the same time, the recruitment freeze previously imposed by the Assembly had adversely affected the support available from the secretariat. Other Chairs shared his concerns about the treaty bodies' constantly being expected to do more with less and to accept new and unproven working methods. It was clear that the treaty bodies needed more support from States and OHCHR and not merely words of encouragement.

13. **Mr. Touzé**, supported by **Mr. İşcan**, said that he fully endorsed the Chair's forceful opening statement and his position on the outcome of the meeting of the treaty body Chairs. For more than one year, the Committee had been unable to hold in-person meetings, yet it had not been provided with the resources it needed to work effectively online. At its seventieth session, the Committee had agreed to proposals allowing its working group on communications to carry out preparatory work on individual complaints, with a view to facilitating processing of the backlog of communications. However, the Committee's requests for the organization of additional intersessional meetings of the working group had been refused. Enough statements had been delivered; concrete action was required. He awaited specific confirmation regarding the return of in-person meetings, which would allow the treaty bodies to resume their work, as other international mechanisms had done.

14. **Mr. Rodríguez-Pinzón** said that the Committee had carried out vital work during the pandemic, as reflected in its annual report. In particular, the registration of new complaints and the processing of requests for interim measures had continued without interruption.

The discussion covered in the summary record ended at 1 p.m.