



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

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Summary record of the second part (public)* of the 1828th meeting

Held via videoconference on Tuesday, 13 July 2021, at 2.15 p.m. Central European Summer Time

Chair: Mr. Heller (Vice-Chair)

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* The summary record of the first part (closed) of the meeting appears as document CAT/C/SR.1828.

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The public part of the meeting was called to order at 2.15 p.m.

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

Report on follow-up to concluding observations (continued)

1. **Mr. Tuzmukhamedov** (Rapporteur for follow-up to concluding observations) said that the Committee had continued its work under the procedure for follow-up to concluding observations despite the coronavirus disease (COVID-19) pandemic. Between 1 January 2020 and 12 July 2021, the Committee had received follow-up reports from 18 States parties, along with 14 alternative follow-up reports from national human rights institutions, non-governmental organizations and civil society. The follow-up reports of 28 States parties were currently overdue; reminders were sent following each missed deadline.

2. Since January 2020, he had assessed the follow-up reports of 18 States parties and informed the States concerned of the results and pending issues. Although none of the recommendations identified for follow-up had been fully or largely implemented, substantive steps had been taken towards the implementation of 11 recommendations and initial steps with regard to 13 recommendations. A further 17 recommendations had not been implemented at all and implementation of the remaining recommendations could not be assessed owing to insufficient information. In several instances, the State party had adopted measures that were contrary to the Committee's recommendations. During the relevant period, Viet Nam had been the only State party to address recommendations other than those specifically identified for follow-up, a practice encouraged by the Committee.

3. Some concerns raised in follow-up communications had received attention in the public domain. For example, in May 2021 it had been reported in the media that three Portuguese border guards had received prison sentences for causing the death of a Ukrainian national whose case had been mentioned in the Committee's follow-up letter to the Permanent Mission of Portugal. Similarly, in the United Kingdom, a bill on overseas operations had been amended after the United Nations High Commissioner for Human Rights had echoed the Committee's concerns that adoption of the bill could lead to limitations on the accountability of British service personnel for torture and war crimes.

4. Lastly, a web page dedicated to the follow-up procedure had been set up, where all relevant documents could be found, including an overview of the procedure, the recommendations identified for follow-up by the Committee, the information submitted by States parties and the alternative follow-up reports.

Consideration of communications submitted under article 22 of the Convention *(continued)*

Report on follow-up to communications (continued)

5. **The Chair** (Rapporteur for follow-up to decisions on complaints) said that the Committee had adopted decisions on the follow-up to eight individual communications. For communications No. 729/2016 (*I.A. et al. v. Sweden*) and No. 882/2018 (*Calfunao Paillalef v. Switzerland*), it had been decided to close the follow-up dialogue, with a note of satisfactory resolution. In the six remaining cases, communications No. 637/2014 (*Gabdulkhakov v. Russian Federation*), No. 681/2015 (*M.K.M. v. Australia*), No. 817/2017 (*Aarrass v. Morocco*), No. 818/2017 (*E.L.G. v. Spain*), No. 852/2017 (*Zentveld v. New Zealand*) and No. 854/2017 (*A v. Bosnia and Herzegovina*), it had been decided to continue the follow-up dialogue with a view to achieving implementation of the Committee's previous decisions.

Organizational and other matters

Report on follow-up to reprisals (continued)

6. **Ms. Racu** (Rapporteur on reprisals) said that that no new major incidents had been reported to the Committee since its previous session. One possible explanation was that the COVID-19 pandemic had limited complainants' access to lawyers and resulted in a lack of visits to places of detention by national preventive mechanisms and other organizations. The

cases currently being monitored because reprisals had been alleged all related to Morocco. In one case, the alleged reprisals consisted in death threats by prison guards and denial of access to medical care. In another case, the allegations related to transfer to another prison and failure to implement the interim measures requested by the Committee. Those cases remained confidential pending decisions by the Committee. In the case of *Asfari v. Morocco* (communication No. 606/2014), the follow-up comments and observations had demonstrated a lack of implementation of the Committee's previous decision. The Committee had therefore decided to maintain the follow-up dialogue.

7. In June 2021, the 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 commemorate the United Nations International Day in Support of Victims of Torture. The subject of reprisals had been discussed at that event. In May 2021, the International Service for Human Rights had issued a report containing a quantitative analysis of the cases documented in the annual reports of the Secretary-General on intimidation and reprisals and, for some cases, an assessment by the victims and their representatives of the impact and outcomes of United Nations intervention.

The meeting rose at 2.35 p.m.