



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

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Summary record of the 1823rd meeting

Held via videoconference, on Monday, 13 July 2020, at 1 p.m. Central European Time

Chair: Mr. Modvig

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The meeting was called to order at 1 p.m.

Opening of the session

1. **Mr. Korkeakivi** (Office of the United Nations High Commissioner for Human Rights (OHCHR)), speaking on behalf of the Secretary-General, said that he welcomed all participants to the first ever remote session of the Committee. The coronavirus disease (COVID-19) pandemic had seriously affected human rights, particularly for persons deprived of their liberty. As the Committee and other anti-torture mechanisms had stressed in their joint statement on the United Nations International Day in Support of Victims of Torture, the pandemic was exacerbating the risk of ill-treatment and torture worldwide and persons deprived of liberty were facing a new threat. As at mid-June 2020, more than 78,000 prisoners across the world had contracted COVID-19, of whom at least 1,100 had died. The Chair of the Committee and other speakers at a webinar on combating torture and ill-treatment in the COVID-19 context, organized by OHCHR and the Association for the Prevention of Torture, had given concrete examples of the importance of national and international mechanisms to prevent torture in the present circumstances.

2. The crisis had not only led to substantive human rights challenges but also had an impact on the Committee's mandated activities, with all in-person meetings of the treaty bodies suspended until the end of August owing to health risks and travel restrictions. Despite recent positive developments in Europe and other parts of the world, the pandemic was likely to persist and a possible second wave could occur during the latter part of 2020. Further postponements of in-person meetings were therefore possible. As that challenge was shared by all treaty bodies, cooperation to share experiences and approaches was crucial, including through active engagement with the treaty bodies' informal working group on COVID-19, which had already held two meetings in July 2020.

3. The implications of the crisis had also been discussed at length at an informal online meeting of the treaty body Chairs, held from 2 to 5 June 2020. The High Commissioner, in her opening remarks at that meeting, had acknowledged the extraordinary efforts made by the treaty bodies to discharge their mandates to the extent possible. For their part, the Chairs had stressed that, while a partial shift to online work had enabled some important action to be taken, new tools were required, including a secure online platform with simultaneous interpretation that was accessible for persons with disabilities.

4. Until the resumption of in-person meetings, it would be necessary to explore different ways of ensuring close contact between treaty bodies and their partners. In recent years, the Committee had been innovative in its adoption of remote work, for example the preparation of certain decisions about individual complaints through a special working group and the organization of videoconferences with non-governmental organizations (NGOs) and other stakeholders. OHCHR would support any such creative efforts to adapt the Committee's methods of work to the current circumstances.

5. The current liquidity crisis of the United Nations imposed another major challenge, with the persistent underpayment of assessed contributions already hampering the performance of various activities.

6. The present difficulties coincided with the 2020 review of the treaty body system. At the launch of the review on 2 June, the High Commissioner had highlighted the invaluable role played by the treaty bodies, the many proposals put forward to strengthen the system, including those in the position paper of the Chairs (A/74/256, annex III), and the need for sufficient regular budget resources and adequate staffing. The Chairs had explained their vision in more detail and had highlighted resource-related challenges, at an online briefing on the 2020 review for Member States. The co-facilitators of the review planned to seek contributions from Member States and to hold dialogues with OHCHR, the treaty bodies and other stakeholders. The Chairs of the treaty bodies would hold an online meeting later in July 2020 to finalize their input. The co-facilitators would then draft a report and submit their recommendations to the President of the General Assembly in August 2020.

Adoption of the agenda (CAT/C/69/1/Rev.1)

7. **The Chair** said that the agenda had been revised to allow the Committee to make decisions related to its current inability to undertake its activities as normal.

8. *The agenda was adopted.*

Organizational and other matters

9. **The Chair** said that the current online session was taking place in exceptional circumstances due to COVID-19 and its consequences. Following the cancellation of the spring 2020 session and in light of the continuing impossibility to hold in-person meetings, it had been decided that the new members would deposit signed solemn declarations, which they would confirm orally at the next in-person session. The election of new officers would also be postponed until that time.

10. There were a number of serious obstacles to conducting an online session, such as time differences between the locations of the members and the requirements for a platform enabling confidentiality for private meetings and for full-time interpretation into Committee's working languages. Since multilingualism and the participation of all members could not yet be assured, the Committee was unable to perform its main activities, namely the review of State party reports and the discussion and adoption of decisions on individual complaints and inquiries.

11. More positively, the rapporteurs on new complaints and interim measures, on follow-up to decisions on complaints, on follow-up to concluding observations and on reprisals had all continued their activities. The Committee had also discussed and adopted by email lists of issues, lists of issues prior to reporting and its annual report. As Chair, he had attended several meetings with the Chairs of other treaty bodies and engaged in the 2020 treaty body review.

12. However, that was insufficient; the Committee must perform all its mandated activities, which could not be achieved with online sessions under the present conditions. Furthermore, on 16 June 2020, OHCHR had informed all treaty body members that they must prepare for the impossibility of convening in-person meetings for the rest of the year. That represented a major challenge at a time when human rights violations had been exacerbated under the pandemic.

13. Regarding the Committee's activities for the remaining part of 2020, he had three proposals. Firstly, if the seventieth session could not be held in person in 2020, it should be postponed until 2021. Secondly, a one-year extension of members' mandates should be proposed to the States parties for their approval. Lastly, the need for States to ensure proper allocation of financial and human resources to the treaty bodies should be expressed.

14. **Mr. Touzé** said that States parties must understand that a single two-hour meeting was no substitute for an in-person session in Geneva. The time would be used only to confirm the impossibility of performing the Committee's essential work under present conditions. The situation related to the COVID-19 pandemic was showing the structural, systemic and political limits of the United Nations human rights protection system. No treaty body was currently able to monitor implementation of its Convention.

15. Some might believe that so-called online sessions demonstrated the continuance of work. In fact, owing to the inadequacy of resources, the existing rules and procedures and the system in general, the Committee had not been capable of exercising its mandate since December 2019. Reports and complaints were piling up on the desks of secretariat staff, adding to delays which had already been the cause of serious concern.

16. It was right and proper to underscore that human rights must be respected during the current crisis, but such speeches must be accompanied by sufficient resources to allow for the monitoring of States. In reality, the lack of action taken since the start of the pandemic invited the conclusion that the treaty bodies were not a priority. The Committees had been left to find solutions on their own, with no help other than the establishment of a new informal working group and no adaptation of the rules and procedures. That was unacceptable, especially when any solutions found were likely to be used as arguments to

restrict future budgets. The time had come for OHCHR to put the treaty bodies back at the heart of the system, providing them with adequate material, human and financial resources.

17. Instead, the treaty body members had received a message announcing the probable cancellation of all sessions in 2020, in which public health arguments were combined with budgetary arguments. The money saved by the cancellation of previous sessions was apparently no longer available. Treaty body activities in their current form were at risk and States parties must be made aware of that so they could work with the Committee, based on links forged by constant dialogue, and find imaginative and original means to end the current paralysis. Realistic, pragmatic and concrete action was required to define new ways of working and leave behind a system that had proven itself incapable of adaptation. Lastly, he agreed with all three of the Chair's proposals.

18. **Mr. Heller** said that the present meeting could not be viewed as a full-fledged session, since the goals set out in the programme of work would not be achieved. It was inaccurate and Eurocentric to discuss a "possible second wave" when many countries remained in the midst of the full-blown pandemic. The use of the financial crisis as a pretext to cancel the meetings planned for 2020 was extremely regrettable, when the entire human rights system and the very existence of the treaty bodies was under threat. The Committee was unable to provide its usual high-quality work, which was contingent on extensive exchange between members and respect for the principles of multilingualism and confidentiality and the rules for the approval of substantive matters.

19. While he welcomed the work done to address matters such as interpretation, connectivity and time differences, it must not be forgotten that planned dialogues with States parties, United Nations agencies and NGOs had not taken place. Even with improvements, only a bare minimum of the Committee's work could be performed online.

20. The Committee must turn to the States parties, which were obliged under the Convention to cover the operating costs. The communication could take the form of a letter from the Chair, explaining that the Committee was currently unable to discharge its duties. It was also vital to request an extension of the mandates of all members to prevent them from losing an entire year of work. The International Law Commission had requested such an extension from the General Assembly. The Committee would thus be justified in asking the same of the States parties to the Convention, to allow it to look forward to resuming serious work from 2021.

21. **Mr. Rodríguez-Pinzón** said that technology had enabled the Committee to carry out some tasks. For example, as rapporteur on new complaints and interim measures, he had continued to receive communications from individuals and requests for protection measures. However, the Committee had been seriously limited in its ability to perform monitoring work. He hoped that members would continue to consider creative and effective ways to address the situation and ensure protection against torture and ill treatment. That effort would require the participation of all stakeholders, including States parties, civil society organizations and academia, and they must be careful to ensure that any initiatives strengthened rather than weakened oversight.

22. **Mr. Tuzmukhamedov** said that he fully supported the proposals of the Chair. The main planning efforts should envisage the postponement of the seventieth session until 2021. However, contingency planning should also be undertaken to leave open the possibility of holding a regular session in 2020. He was concerned about budgetary constraints being used as a reason for delays in treaty body activities.

23. **The Chair** said that the proposal to postpone the next session was only valid if it proved impossible to hold an in-person session in 2020. Before formulating a response to financial restrictions, it would be advisable to wait until September 2020, when the General Assembly was expected to adopt a resolution on the treaty body review, including the matter of funding.

24. **Ms. Racu** said that she would like to discuss the communication to be held with States parties and NGO partners if the postponement of the session and the extension of mandates were agreed.

25. **Mr. İşcan**, briefing the Committee on the work of the informal working group on COVID-19, said that the group had been established owing to the need to proceed with the 2020 treaty body review in a context altered by the emergence of the pandemic. The Chairs had agreed on a position paper and had co-signed a letter to the High Commissioner, copied to the Secretary-General, in which they expressed concerns at the impact of COVID-19 on the treaty body system. It had then been decided to set up the informal working group, mandated to share information and experience in order to address that impact. The group had also been tasked with developing suggestions to be submitted to the treaty body Chairs.

26. Three working group meetings had been scheduled during July 2020, of which the first two had already taken place. Representatives of all the committees had been asked to share their experiences. At the first two meetings, he had informed the attendees of the decisions of the Committee's Bureau and of the agenda of the present virtual session, on which he had promised to report during the last meeting. Following that meeting, the working group would approve suggestions for submission to the formal meeting of the Chairs that would be convened in August 2020.

27. The working group had also heard a briefing by OHCHR on the financial and budgetary situation. No change in the budget for the treaty bodies was envisaged and no funds had been reallocated from the treaty bodies to other activities. The problem was the cash flow crisis caused by late or incomplete payments by Member States, which would be compounded by a reduction in voluntary contributions announced by some States owing to the difficulties caused by COVID-19. That made long-term planning impossible.

28. **Mr. Liu** said that, by holding the sixty-ninth session online even in the face of the unprecedented challenges posed by the COVID-19 pandemic, the Committee was showing that it continued to carry out its work, albeit at a slower pace. He too supported the proposals made by the Chair. In the meantime, the Committee should consider adapting some of its procedures and working methods to the current situation. It was important to present a united front and to ensure the continued global visibility of the Committee's work in the COVID-19 era. If the prevailing climate of uncertainty continued, the Committee would need to look for more creative solutions to ensure the continuity and to preserve the quality of its work.

29. **Ms. Belmir** said that she shared the concerns raised by other Committee members. She hoped that States parties would indeed honour their commitments and support the Committee in its efforts to carry out its mandate in the COVID-19 era.

30. **The Chair** said that he understood there to be consensus among Committee members on the three proposals that he had made in his opening remarks and would seek to take them forward.

Briefing by the Convention against Torture Initiative, the World Organization Against Torture and the Kenyan Section of the International Commission of Jurists

31. **The Chair** welcomed representatives of the Convention against Torture Initiative, the World Organization Against Torture and the Kenyan Section of the International Commission of Jurists, who would explain the particular relevance of the Committee's work in the context of the COVID-19 pandemic and provide an overview of the related challenges.

32. **Mr. Tressler Zamorano** (Chile) said that the Convention against Torture Initiative was an intergovernmental initiative launched in 2014 by the Governments of Chile, Denmark, Fiji, Ghana, Indonesia and Morocco. Its aim was to reduce the risk of torture and ill-treatment worldwide by sharing country-specific experiences and encouraging all States Members of the United Nations to ratify and implement the Convention by 2024, to coincide with the instrument's fortieth anniversary. Since the launch of the Convention against Torture Initiative, 16 new States had ratified or acceded to the Convention. Four States – Angola, Grenada, Kiribati and Oman – had done so since representatives of the Convention against Torture Initiative had last met with the Committee. Only 25 more States needed to become a party to the Convention in order for the goal of universal ratification to be achieved.

33. Even during the COVID-19 pandemic, the Convention against Torture Initiative, together with the Treaty Section of the Office of Legal Affairs at United Nations Headquarters, had been able to advise States on how to remotely deposit their instruments of ratification or accession during office closures. As part of its preventive work, the Convention against Torture Initiative had engaged with hundreds of public officials and other stakeholders, provided confidential technical advice and capacity-building services and made available various implementation tools.

34. The COVID-19 pandemic posed a serious threat to governments, organizations and people throughout the world and was putting unprecedented pressure on health systems, economies and morale. Moreover, there was a growing chorus of protests against reports of violence and heavy-handedness in national responses to the situation. While the pandemic had led to the development of good practices, it had also revealed gaps in national response efforts. It had also caused a sharp increase in domestic violence and had adversely affected the poor and marginalized. The impact of isolation and confinement on older persons, torture survivors and persons with mental health issues should not be overlooked. The virus was rife in prisons and the enforcement of quarantine and other restrictions had revealed shortcomings in policing practices, which had reportedly given rise to assault, torture and even death. Against that background, the duty to prevent torture and ill-treatment and the absolute and non-derogable character of its prohibition remained as relevant as ever.

35. Good national practices included addressing overcrowding in prisons and other places of deprivation of liberty in order to lessen the risk of COVID-19 contagion, including by scheduling the early release of low-risk, vulnerable and older inmates, postponing the start of prison sentences and making greater use of electronic monitoring. Some prisons had allowed visits from lawyers, family members and oversight bodies to take place virtually by providing access to mobile telephones, free telephone calls and virtual platforms. Hotlines to make complaints against various authorities had been set up in a number of countries and court hearings had continued remotely. Although the pandemic had posed many challenges, it had also prompted government agencies to rethink how criminal justice systems worked and how they could be improved. For example, States might consider promoting greater use of non-custodial sentences as a means of decongesting prisons in future.

36. Bearing in mind their obligations under article 11 of the Convention, States parties should consider whether their practices and procedures needed to be adjusted in order to better respond to situations where a health emergency necessitated restrictions on freedom of movement, especially as health emergencies were expected to occur with increasing frequency in the years to come. He asked whether the Committee planned to refer to the challenges posed by the COVID-19 pandemic in future lists of issues and to follow the example of other bodies by issuing specific advice on implementing the Convention in the COVID-19 era for States parties.

37. **Mr. Kleib** (Indonesia) said that, during the urgent debate on current racially-motivated human rights violations, systemic racism, police brutality against persons of African descent and violence against peaceful protest that had taken place at the forty-third session of the Human Rights Council in June 2020, the Convention against Torture Initiative had called upon on all States Members of the United Nations and police chiefs worldwide to promote a zero-tolerance policy towards racism and discrimination, and to review and adjust laws, policies, procedures and practices in order to make them more people-centred and prevention-oriented – the Convention against Torture Initiative’s “Police Pledge”.

38. Police officers and other law enforcement actors could only perform their functions safely and effectively if their professional integrity remained intact. Over the past few years, the Convention against Torture Initiative had been working tirelessly on issues of police professionalism and police reforms and had facilitated exchanges, shared good practices and advised on policing standards. In October 2019, a major global seminar had taken place in Copenhagen, bringing together over 60 participants from 23 countries to discuss, inter alia, how cooperation and innovation could improve policing and prevent and reduce the risk of ill-treatment and misconduct.

39. On behalf of the Convention against Torture Initiative, the Government of Indonesia had hosted a regional seminar for 18 States from the Asia-Pacific region in Bali in 2019. Around 70 participants had come together to discuss national good practices, experiences and challenges in strengthening institutional and legislative frameworks for effective policing and the administration of justice. At the seminar, it had been recommended that police officers' awareness of learning tools, guidelines and international best practices should be increased, and that more integrated training should be provided to promote the use of new techniques that minimized the use of force and strengthened community cohesion. The Convention addressed those challenges directly by laying down a set of global parameters centred on the rejection of violence by State authorities. There was no need to reinvent the relevant international framework – what was required was leadership and commitment to structural and institutional reform.

40. The COVID-19 pandemic had clearly disrupted the work of the treaty bodies, which had been forced to look for new ways to carry out their activities. Moreover, it was predicted that, owing to the pandemic, the current financial struggles of the United Nations would only worsen in the years to come as countries prioritized rebuilding their own economies. Major donors whose contributions were pegged to a percentage of their gross domestic product were also likely to contribute less as their economies shrank. Yet the crisis, which coincided with the treaty body review consultations being held in July 2020, presented an opportunity. The Convention against Torture Initiative had submitted a contribution as part of the review exercise and, in 2019, had briefed the Committee on the accommodations sought by small island developing States to alleviate their reporting burden, which was one of the main obstacles preventing those States from ratifying the Convention.

41. The Convention against Torture Initiative would encourage the Committee to conduct reviews remotely wherever feasible to enable the reporting process to continue during the pandemic. A number of important meetings had already taken place on virtual platforms; governments and other stakeholders were becoming increasingly proficient at using such technology. Remote meetings could also have the added benefit of reducing short-term costs for States and the United Nations alike.

42. **The Chair** said that the Committee had already begun to include language relating to the challenges posed by the COVID-19 pandemic in its lists of issues prior to reporting. However, it had not yet discussed the possibility of issuing guidance to States parties on implementing the Convention in the COVID-19 era.

43. **Ms. Benninger-Budel** (World Organization Against Torture) said that the COVID-19 pandemic was exacerbating violations of the absolute prohibition on torture and other forms of ill-treatment. The prevalence of abusive policing had likewise increased in the context of enforcing curfews and social distancing rules, and during protests. There was also evidence to suggest that poor and underprivileged persons were disproportionately affected by such abuses. Indeed, the COVID-19 pandemic had served to reveal protection gaps and the vulnerability of marginalized groups. Persons deprived of their liberty often lived in unhygienic conditions where social distancing was all but impossible, which led to high infection rates. Migrants and refugees were often forced to live in overcrowded housing, camps, or detention centres without appropriate health care, while others were left on the street where they were exposed to the virus and often suffered inhuman or degrading treatment. Women were at an increased risk of domestic violence and faced difficulties in accessing judicial, police and health services. Government harassment and arrests of human rights defenders, opposition activists and independent journalists had increased.

44. Concurrently, national protection systems were close to collapse, as courts and national preventive mechanisms were only partially operational and the restrictions in place were preventing civil society from monitoring human rights violations. The activities of international anti-torture bodies were likewise being obstructed, creating a frightening accountability vacuum. The Committee had a crucial role to play in addressing shortcomings in policing and detention systems, protecting the vulnerable and marginalized, assisting those in need of its protection and holding States accountable for their actions.

45. The ability to work remotely had taken on an added importance during the pandemic. The World Organization Against Torture was a member of TBNNet, an informal group of international networks and NGOs that worked closely with the treaty bodies. TBNNet had prepared a discussion paper on the opportunities and challenges associated with online treaty body work in the COVID-19 context, which it had presented at the informal meeting of the treaty body Chairs in June 2020. TBNNet had warned against embracing online activities at the expense of high-quality meetings. Nevertheless, it recognized that the Committee could not stop operating when torture was on the rise. There was an urgent need to start closing the international protection gap and to enable the treaty bodies to continue their work in the current time of crisis, even if the conditions were not ideal.

46. TBNNet had suggested that online meetings should be conducted using a safe platform that was equally accessible to all treaty body members and made provision for interpretation and the webcasting of public meetings. It had also been pointed out that a transition to online work could facilitate greater participation by civil society. The Committee was to be commended for having continued its work relating to lists of issues during the cancelled session in April/May 2020 and for having included specific questions on the impact on human rights of restrictive measures adopted in response to the COVID-19 pandemic. The Committee could also explore the possibility of adopting decisions on individual communications remotely. The follow-up procedure could help ensure the continuity of the dialogue between the Committee and States parties between reviews.

47. While it was true that there was no substitute for face-to-face meetings, if COVID-19-related travel restrictions were prolonged, virtual dialogues with States parties would become unavoidable. However, such a solution should always be temporary. Wherever possible, online meetings could take place in a hybrid format, with onsite participation by Committee members, State party delegations and NGOs. OHCHR should explore all possibilities to ensure that the Committee was in a position to carry out its mandated activities while maintaining the quality of its work. TBNNet could help assess those possibilities by collecting feedback from civil society.

48. The World Organization Against Torture understood that OHCHR was experiencing a funding crisis attributable to delays in payment by States Members and that the resulting liquidity shortfall could disrupt the holding of in-person treaty body sessions until the end of 2020. Urgent intervention was needed to ensure that States were supporting and funding the human rights treaty body system. The inability to convene in-person sessions of human rights bodies was shocking, especially in the year when the General Assembly was to review the progress made in implementation of its resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system.

49. **Ms. Sainna** (Kenyan Section of the International Commission of Jurists) said that the Kenyan Section of the International Commission of Jurists was a partner of the World Organization Against Torture and had the mission of promoting human rights, justice, the rule of law and democracy through the application of international human rights standards and regional best practices.

50. From the outset, the Kenyan Section of the International Commission of Jurists had echoed the guidance issued by the African Commission on Human and Peoples' Rights, which had reiterated the obligation of States to ensure that any measures adopted in response to the COVID-19 pandemic complied with the principle of legality and were necessary and proportional to the objective of safeguarding public health. It had likewise urged the Government of Kenya to consider, and mitigate, the adverse impact of its response on the poor and most vulnerable in society, including persons deprived of their liberty; to ensure that its response adhered to the principles of non-discrimination and equality; and to provide timely access to accurate information on containment measures.

51. As the number of new infections continued to grow, so did the number of human rights violations linked to national responses to the pandemic. In some cases, such violations could be considered tantamount to torture or ill-treatment. Moreover, the accountability mechanisms currently in place were not commensurate with the number of violations.

52. Increased police brutality had led to loss of life, including the deaths of children, causing a public outcry. There was also evidence of law enforcement agents resorting to excessive use of force to enforce lockdown and curfew orders. The number of complaints of sexual and gender-based violence had increased by over a third during the pandemic period. The reported upsurge in violence against women and girls in their homes during lockdown had yet to be addressed and the victims had not yet been provided with adequate support and assistance. In short, State inaction had exposed the most vulnerable in society to acts that could well amount to cruel and degrading treatment.

53. Forced expropriation, evictions and destruction of houses by States were forcing people to live in inhuman and degrading conditions. Civil society actors had also raised concerns about the failure to ensure access to adequate health care for the most at-risk and vulnerable population groups, such as persons deprived of their liberty, persons living in highly congested and impoverished neighbourhoods, internally displaced persons, refugees, asylum seekers and migrants.

54. During the pandemic period, the Committee should send periodic advisories addressing human rights violations that amounted to torture or ill-treatment; remind States parties that the use of terms such as “necessity”, “national emergency” and “public order” could not be invoked as a justification for torture; keep channels of communication with civil society actors open; request States parties to report their implementation of the Convention during the pandemic period, especially if they were scheduled to appear before the Committee in 2020 or 2021; and ensure that States parties took remedial action and made reparation to victims of human rights violations, including victims of police brutality. Lastly, she recommended that the interactive dialogue with Kenya, which was to be reviewed by the Committee earlier in 2020, should be held online.

55. **Mr. Heller** said that, while the information that had just been provided on the situation in Kenya was extremely valuable, particularly as the State party review scheduled for April/May 2020 had not taken place, the Committee must adhere to its established practice of examining the situation in the country holistically, on the basis of information from both governmental and non-governmental sources and within the framework of an interactive dialogue.

56. **Ms. Racu** said that, in the current circumstances, the Committee could continue to communicate with NGOs and civil society using web-based platforms.

57. **Mr. Touzé** said that the Committee needed to find a way to keep working coherently and effectively in the COVID-19 era. However, he understood the procedural rules imposed by OHCHR to preclude the possibility of informal intersessional online meetings. Moreover, members would not have the Interprefy platform at their disposal. The Committee was presented with an arguably unsurmountable challenge: to continue to carry out its activities during the pandemic period while respecting the parameters set by OHCHR. While he was not against working online, various practical issues would need to be resolved. He agreed that the information provided by the Kenyan Section of the International Commission of Jurists, while clearly pertinent, could only be considered as part of a State party review conducted during one of the Committee’s official sessions.

58. **The Chair** said that the main conclusion reached by the Committee still stood: it was unable to carry out its core activities online. The Committee had therefore agreed to postpone the seventieth session until 2021 unless members could meet in person, to pursue the question of extending Committee members’ mandates by one year and to remind States parties of the need to allocate adequate financial and human resources to the Committee. However, the Committee also had a duty to consider whether there were other useful activities to which it could devote its efforts in the meantime, such as drafting guidance on how to prevent torture during the COVID-19 era. It might also be helpful to liaise with other treaty bodies to gauge the feasibility of holding online sessions in the future.

The meeting rose at 2.55 p.m.