



**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 1051st meeting

Held at the Palais Wilson, Geneva, on Tuesday, 22 November 2011, at 3 p.m.

Chairperson: Mr. Grossman

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* The summary record of the first part (closed) of the meeting appears as document CAT/C/SR.1051.

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The second part (public) of the meeting was called to order at 4.05 p.m.

Consultative meeting with stakeholders on the draft general comment on article 14 of the Convention (CAT/C/47/GC/R.1)

1. The Chairperson, welcoming the representatives of States parties and civil society organizations to the meeting, emphasized that the purpose of general comments was to help States parties and individuals who submitted communications to the Committee to better understand their obligations under the Convention, including some legal principles not explicitly defined in the instrument. They also fostered transparency by informing stakeholders of the Committee's criteria for assessing how well States parties were fulfilling their obligations.

2. The Committee had discussed the working document during its previous session and, in June 2011, had published it on its website and invited all stakeholders to submit written comments. Its expectations had been more than met, it having received 25 communications. It had also been keen, however, to meet stakeholders during one of its sessions to enable them to present their comments and suggestions orally; hence the current meeting had been organized.

3. **Mr. Alhama** (Spain) said that his country approved the overall content of the draft general comment. However, it had a problem with the link made by the Committee in paragraphs 33 and 36 of the working document between the non-applicability of statutes of limitations to all forms of torture and the prohibition to amnesty the perpetrators of such acts. In actual fact, there was no provision in the Convention establishing that statutes of limitations should not apply to acts of torture. In accordance with applicable international law, in particular the Rome Statute of the International Criminal Court, Spanish legislation provided that statutes of limitations did not apply in cases of crimes against humanity, the crime of genocide, and offences against persons and property protected in the event of armed conflict. Under article 607 bis of the Criminal Code, statutes of limitations did not apply in cases of acts of torture constituting crimes against humanity.

4. The Spanish delegation shared the Committee's concerns about the amnesty enjoyed by the perpetrators of acts of torture, as expressed in paragraphs 35 and 36 of the working document. It stressed that the purpose of the Amnesty Act adopted in 1977, at the end of the Franco dictatorship, was to release detainees convicted and imprisoned under previous legislation. As the wealth of jurisprudence on the matter showed, it had never been applied to acts of torture. Spain therefore considered that the comments on amnesty laws in the draft general comment did not apply to the Amnesty Act of 1977.

5. **Mr. Xia Jingge** (China), noting from paragraph 20 of the working document that the Committee "considers that obligations of States parties under article 14 are not limited to victims who were harmed in the territory of the State party or by or against nationals of the State party", said that the Chinese Government believed that redress should be provided by the State in whose territory a violation of the Convention had taken place and that a State's exercise of jurisdiction over cases of torture committed in the territory of another State might infringe the latter's sovereignty. The interpretation of article 14 of the Convention in article 20 of the working document increased obligations of States parties beyond the original intent of the Convention.

6. Concerning obstacles to the realization of the right to redress described in paragraph 37 of the working document, the Chinese Government considered that there was no causal link between the immunity granted to a State and its agents, which was a principle of international law recognized by all States, and impunity. The goal of ending impunity should not be used as a pretext to limit the scope of immunity. In addition, a decision to grant amnesty was the prerogative of every sovereign State and there should be no interference in the internal affairs of States.

7. The Chinese delegation considered that the interpretation of the term “redress” contained in paragraph 2 of the working document was overly broad. Chinese legislation guaranteed the right of victims to obtain redress for harm suffered both when a perpetrator was at fault and when no perpetrator was identified. Similarly, the concepts of “satisfaction” and “guarantees of non-repetition” were not forms of tort liability under Chinese law. Furthermore, the definition of “victim” in paragraph 3 was also too broad. Under Chinese legislation, a “victim” was understood to be the person who was directly harmed by an unlawful act and did not include immediate family members or third parties. Lastly, a person could only be treated as a victim after identification as such through legal procedures.

8. **Mr. Kjaerum** (International Rehabilitation Council for Torture Victims – IRCT) said that the NGO on whose behalf he spoke represented 140 rehabilitation centres for torture victims in over 70 countries. Many victims of torture and ill-treatment suffered serious physical and psychological after-effects and, if they failed to receive early rehabilitation services, the trauma deepened over time. Proceedings brought against the perpetrators of such acts were usually protracted and the victims might suffer serious trauma for many years with no access to adequate rehabilitation services. IRCT therefore recommended that the Committee should make it clear in the working document that the victims should have the right to receive rehabilitation services as soon as they were recognized as victims of torture.

9. While welcoming the clarifications to paragraph 14 of the working document, he noted that the recommendations it contained might not be appropriate for all situations and all States. Many torture survivors were reluctant to accept rehabilitation services provided by the State in cases where it was responsible for the acts inflicted on them. Moreover, many rehabilitation centres were wary of relying on financial support from the public authorities lest it undermined their independence. IRCT therefore proposed that specific criteria should apply for defining rehabilitation centres and assessing their performance. Those criteria would be the ability to respond to the specific needs of victims; the accessibility of services, and the safety of beneficiaries; and their protection against any reprisals. It was also important for the victims themselves to have a voice in the development of rehabilitation services. Lastly, IRCT considered that the thinking reflected in paragraphs 30, 31 and 34 of the working document, which dealt basically with women, could also apply to the vulnerable groups covered by paragraph 29 of the working document. He urged the Committee to explore ways of ensuring that the initiatives and measures for women as recommended in the aforementioned paragraphs also covered the categories of persons listed in paragraph 29 of the working document, for example by recommending the adoption of specific measures for child victims of torture.

10. **Mr. Urstad** (Norway) said that his country welcomed the Committee’s preparation of a draft general comment on article 14 of the Convention, which contained helpful insights into the scope and application of the relevant provisions. He assured the Committee that all stakeholders in Norway would study the document closely.

11. **Mr. Splinter** (Amnesty International) welcomed the Committee’s acknowledgement in its working document that all recognized forms of reparation should be available and that monetary compensation alone was not sufficient redress for victims of torture and ill-treatment. He also welcomed the confirmation in the working document that States had an obligation to enact legislation to implement the provisions of article 14 of the Convention, and the definition of victims in paragraph 3 of the working document. He noted that it had been well documented that children could be seriously affected by the after-effects of the torture inflicted on their parents.

12. Amnesty International recommended that the Committee should mention explicitly that States must provide an effective remedy to victims of torture and other ill-treatment when committed by non-State or private actors. Given that it was not always possible to identify perpetrators and that those found liable for committing violations of the

Convention might lack the resources to provide full and effective reparation to the victims, Amnesty International recommended that the Committee should call on States parties to ensure that the victims received immediate reparation and, when necessary, to take appropriate steps to seek compensation from the non-State official or private actor responsible for the harm suffered. In that regard, Amnesty International noted the content of paragraph 18 of the Committee's general comment No. 2 (CAT/C/GC/2), according to which the State party could be held responsible for acts committed by non-State officials or private actors when it had failed "to exercise due diligence to prevent, investigate, prosecute and punish such non-State officials or private actors".

13. Lastly, Amnesty International encouraged the Committee to emphasize that reparation should seek to prevent the repetition of violations of the Convention, particularly those perpetrated against women. To that end, reparation should transform the gender hierarchies that contributed to the infliction of gender-based violence. Persons who were victims of gender-specific torture should have access to effective and timely mechanisms for redress.

14. **Ms. Van Nes** (Canada) recalled that general comments were not binding on States parties and noted that some aspects of the working document called for further clarification. The Committee could, for example, give a more precise description of the type of redress that States parties should provide for persons who had been victims of torture abroad and who had subsequently settled in their own territory.

15. **Mr. Gonin** (Switzerland) said that his delegation supported the Committee's draft general comment overall, but wished to raise a few comments. With regard to the definition of victims in paragraph 3 of the working document, it considered that, to qualify for inclusion under the provisions of article 14 of the Convention, the family of the victim of torture must be able to demonstrate that it had been a victim of violations of article 16 of the Convention.

16. With regard to paragraph 20 of the working document, Switzerland was of the view that the State party was not liable when acts of torture had been committed abroad by a perpetrator who had no connection with the State party concerned. As for the non-applicability of statutes of limitations (para. 35), his delegation supported the Spanish view and believed that the Convention could not be interpreted as stating that absolutely no cases of acts of torture could be subject to statutes of limitations.

17. **Mr. Townley** (United States of America) said that article 14 of the Convention left it to States parties' discretion to choose an appropriate form of redress. He considered that States parties were only liable for compensation to victims of torture when it had been committed in a territory under their jurisdiction.

18. **Ms. Guseva** (Russian Federation) said that her delegation was concerned about the interpretation of the concept of victim in the definition given in paragraph 3 of the working document, which included third parties such as the victim's immediate family or dependants and persons who had suffered injury when assisting a victim. She would like to know how a person could be recognized as a victim of torture if the perpetrator of the acts that he or she had claimed to have suffered had not been identified and prosecuted.

19. **Mr. Guillermet-Fernández** (Costa Rica), welcoming the Committee's draft general comment, the content of which was consistent with some aspects of the jurisprudence of the Inter-American human rights system, not least the guarantees of non-repetition, said that Costa Rica as yet had no specific legislation on torture, but was aware that it must enact redress legislation and adopt victim rehabilitation programmes to give effect to article 14 of the Convention.

20. The Costa Rican delegation drew the Committee's attention to the need to focus on human rights training and education and establish links between what was stated in

paragraph 16 of the working document and the World Programme for Human Rights Education. Lastly, he proposed that the Committee should use the regional and national offices of the United Nations High Commissioner for Human Rights to disseminate the working document widely and elicit comments from all stakeholders in all States.

21. **Mr. Last** (United Kingdom) said that his country was still studying the Committee's draft general comment on article 14 of the Convention and might comment in writing at a later date.

22. **Ms. Trochu** (World Organization Against Torture) said she was pleased that the Committee had specified in its draft general comment that States parties' obligation to provide redress was both procedural and substantive and that there should be an holistic approach to rehabilitation, including social, legal and medical support.

23. With regard to the right of child victims of acts of torture to seek remedy and obtain redress, her Organization considered that the Committee should take greater account of the best interests of the children, their right to participation and their special vulnerabilities. The final text of the general comment should include guidelines for States parties on the access of child victims of torture to justice, their participation in legal proceedings and the adoption of targeted rehabilitation measures. Regarding torture perpetrated in the name of counter-terrorism and national security doctrines, she emphasized that State secrecy and national security must not prevent victims from exercising their right to effective remedy or to redress.

24. The right to redress could be the responsibility of more than one State when agents of another State had committed or authorized, participated in or tolerated acts of torture.

25. The fact that States hired paramilitary groups or security companies created many practical and legal obstacles to victims' exercise of their right to effective remedy and redress. Such groups and companies and the States that employed them must therefore be held accountable for their acts, and the victims must be able to seek redress from them. It would be apposite for the Committee to mention in the working document not only the role of the police, but also the responsibility of the prosecution service.

26. Individual communications to the Committee against Torture should be taken more into account when establishing the right to effective remedy and redress. In that regard, care must be taken to protect persons who filed complaints with international bodies from retaliation. States should also implement the Committee's decisions on communications.

27. **Ms. Jørgensen** (Denmark) said that the difficult negotiations on paragraph 20 of the General Assembly resolutions on torture clearly demonstrated the usefulness of a draft general comment on article 14 of the Convention. It should include guidelines for Member States and the various stakeholders, but they should not be too detailed, in order to facilitate implementation by Member States. Denmark would return to the issue in writing.

28. Denmark emphasized the importance of the General Assembly resolutions on torture, in particular paragraph 20. Although they were not binding, they were evidence of a consensus among all States and, in some respects, more detailed than the international instruments.

29. Denmark endorsed the reference to women as a vulnerable group, but considered there to be other vulnerable groups, such as children. With help for victims a priority, rehabilitation should be offered immediately and not be dependent on judicial or administrative procedures, which might take too long. Denmark also believed that the list of issues on which the Committee required States parties to provide specific information in their reports on the implementation of article 14 should instead be included in the reporting guidelines.

30. **Ms. Dawkins** (Australia) said that her country was concerned about the idea that the obligation of States parties to provide redress under article 14 should not apply solely to the victims of harm suffered in their territory, but also to victims of acts committed in the territory of another State by an official of a different country. By law, the obligation to provide redress was the responsibility of the State party held accountable for acts of torture, as provided in article 2 of the Convention. While acknowledging that such an interpretation of article 14 did not prevent States from adopting broader measures to help all victims of acts of torture, wherever they occurred, Australia encouraged the Committee to ensure that the final text of the general comment was clearly based on the legal obligations set forth in the Convention and to consider its position regarding the obligation to provide redress under article 14.

31. Lastly, rather than presenting the draft general comment as an interpretation of the legal obligation set forth in the Convention, the Committee could state more clearly that the text was intended to encourage States to exceed their obligations.

32. **Ms. Sceats** (Freedom from Torture) said that she welcomed the Committee's focus on an holistic approach to rehabilitation, including medical and psychological care, access to legal and social services, and consideration of the victim's strength and resilience. The right to redress not being a socioeconomic right, she also supported the Committee's statement that States' obligation to ensure the means for "as full rehabilitation as possible" did not refer to the available resources of States. Since victims' access to rehabilitation services could be hampered by many factors, Freedom from Torture felt that the Committee should specify in greater detail that those services must be accessible in practice, adapted to the needs of victims, especially women, children and families; and implemented in a secure and stable environment. With reference to the comments made by some Member States on paragraph 20 of the draft general comment, the obligation of States parties to provide redress under article 14 should not be limited to the victims of acts of torture committed in the territory of a State party or to acts committed by or against the nationals of that State. That was clear in the preparatory texts of the Convention against Torture.

33. **Ms. Fulton** (Redress) commended the Committee for according priority to torture victims in its draft general comment, which was based on the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. She supported Freedom from Torture's opinion on paragraph 20 of the general comment. She also believed that the Committee could strengthen its text by focusing on the need to adopt special measures to address general problems that arose in the administration of justice, including delays and corruption, and prevented survivors from obtaining redress.

34. **Ms. Finer** (Center for Reproductive Rights) said that she welcomed the consideration given of the situation of women in the draft general comment. Some violations of the reproductive rights of women and girls committed worldwide constituted acts of torture or cruel, inhuman or degrading treatment, and had specific consequences that should be taken into account in the redress procedures. In some cases — particularly involuntary sterilizations, for example — restitution was not possible. She urged the Committee to systematically take into account the need for services that met the specific therapeutic and health needs of women victims of torture, in accordance with standards set by specialized global bodies. She also urged it to emphasize in its draft general comment the need to guarantee, in law and in practice, the access of women and girls to redress mechanisms.

35. **Ms. Arizaga** (Centre for Legal and Social Studies – CELS) said that, to ensure that redress took account of gender issues, the concept of victim must include a gender perspective. The list of acts constituting a violation inevitably gave rise to either inclusion or exclusion because it determined who had a right to redress. In paragraph 29 of the draft

general comment, the Committee cited gender, sexual orientation and transgender identity among the factors leading to discrimination. However, the correct categories were gender, sexual orientation and gender identity. Emphasizing the need to investigate the causes of violence against women and girls, she said that the Committee should expand its consideration of the guarantees of non-repetition by drawing on the experience of the Inter-American Court of Human Rights, to which CELS had submitted a document identifying a number of best practices. Lastly, it should be noted that some detention conditions violated the physical and mental integrity of the person and could constitute cruel, inhuman or degrading treatment.

36. **Mr. Sands** (Association for the Prevention of Torture) said that monetary compensation, and restitution were often inappropriate forms of redress for victims of torture and ill-treatment because of the irreparable harm they suffered. Victims often sought assurance that they would never again have to endure such acts; hence the key role of guarantees of non-repetition. By failing to take action to prevent further violations, a State party maintained a situation that ran counter to the prohibition of torture and, a priori, violated international law. Consequently, the general comment should provide that any redress must include, where appropriate, a request to the State party for it to adopt effective measures to prevent further violations, and a description of practical steps to prevent specific violations.

37. The Association would like the Committee to introduce safeguards, such as an effective registration system in places of detention in order to prevent secret detention and limit its duration. Countries that had inspection units should invite them to visit places of detention forthwith. With respect to prevention, it was strongly recommended that the Committee should encourage States to carry out institutional reforms to institutionalize unannounced visits as mechanisms to prevent torture and ill-treatment in detention centres. Such visits were a powerful deterrent and allowed experts to inspect detention conditions and identify practices that led to violations. The Association also recommended that the Committee should indicate the need to monitor places of detention in paragraph 16 of the draft general comment.

38. **Mr. Conte** (International Commission of Jurists) said that he wished to highlight the issue of violations committed by non-State actors, which was a focus of the Committee's general comment No. 2. The International Commission of Jurists recommended that the Committee should include a paragraph in its draft general comment on the State's responsibility to protect people against acts of torture and ill-treatment committed within their jurisdiction by non-State actors.

39. **Mr. Seiderman** (International Commission of Jurists), commenting on paragraphs 21 to 25, said the Committee should specify that, in the case of serious violations constituting crimes under international law, such as torture and ill-treatment, it was essential for victims to have access to judicial remedies. He drew the Committee's attention to paragraph 12 of the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, which the General Assembly had adopted by consensus.

40. **Ms. Lee** (International Disability Alliance) said that there was a need for trauma-sensitive approaches to ensure that services provided were tailored to victims' needs and based on their free and informed consent. Care should be taken to ensure that the services provided by the medical, legal and social systems did not perpetuate the effects of the traumatic experiences suffered by the victims. States should involve users and their representative organizations in assessment of the effectiveness of rehabilitation programmes and services.

41. She recalled the provisions of article 4.3 of the Convention on the Rights of Persons with Disabilities. In the draft general comment the Committee should incorporate the obligation to ensure that persons with disabilities had access to all services and information so that they could claim their rights under article 14 of the Convention against Torture on an equal footing with the rest of the population. The International Disability Alliance recommended the establishment of independent mechanisms guaranteeing the confidentiality of complaints in places of detention.

42. **Mr. Koros** (Centre Against Torture) said that the draft general comment should facilitate redress for violations committed by non-State actors. States should strengthen national preventive mechanisms. In some cases, in the absence of legislation on torture, State actors were not able to provide adequate redress to victims. Limited resources also prevented States from taking appropriate action.

43. **Mr. Oyarce** (Chile), welcoming the focus on victims, noted that human rights law in Latin America was developing along the same lines. Chile supported the definition of the word “victim” contained in paragraph 3 of the draft general comment, and the inclusion of the victim’s immediate family and other categories of persons in that definition, which it considered particularly important.

44. Espousing the principles set out in paragraphs 4 and 5 of the working document, he emphasized that it was essential to involve the victim in the development and implementation of national policies in order to avoid the adoption of redress measures, however well-intentioned, but likely to prolong victims’ suffering.

45. Regarding the substantive obligations and the scope of the right to redress, Chile agreed that monetary compensation alone was not sufficient redress for victims of torture and ill-treatment. Redress policies must be comprehensive and holistic because torture, particularly in the context of systematic violation of human rights, affected not only the victim, but also the whole social fabric, hence the ineluctable need for a reconciliation process.

46. Concerning the guarantees of non-repetition, as indicated by several NGOs, the issue of preventive visits was critically important in the context of the Committee’s activities, as well as those of other treaty bodies.

47. Chile had taken a number of initiatives in line with the principles established in the working document under consideration, including the creation of the National Commission for Truth and Reconciliation and the National Commission on Political Imprisonment and Torture. In the area of the judiciary, steps had been taken to ensure that proceedings initiated, currently at a standstill, continued. With regard to redress, torture victims received cash payments and health and education benefits. To guarantee non-repetition, it was essential that the subordination of the armed forces to civilian authorities should be strictly established in national constitutions and that all law enforcement officials were informed about human rights issues.

48. **Mr. Achgalou** (Morocco) said that his country welcomed the fact that the Committee had adopted a victim-centred approach. It attached particular importance to the paragraphs on satisfaction and the right to truth (para. 15) and guarantees of non-repetition (para. 16). Indeed, they referred to fundamental aspects of transitional justice that lay at the heart of the special procedures mandate being established, the mandate holder of which would be appointed at the next session of the Human Rights Council. Morocco’s experience in the field of transitional justice, which had already been presented to the Committee, set an example at the regional level. Moreover, Moroccan institutions and legislation respected the principles set out in paragraph 17 of the working document under consideration, as illustrated by the Basic Law, which made torture a criminal offence and condemned it in the strongest terms.

49. **Mr. Tinajero Esquivel** (Mexico) said that, as part of its recent constitutional reform, Mexico had made a comparative analysis of existing legislation and international standards governing redress. The results of that analysis, which had focused on the five forms of redress set out in the draft general comment, namely restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition (paras. 6 to 16), and which would serve as a basis for the national redress bill, had been forwarded to Committee members. Mexico had already made significant progress on redress, and the measures adopted went beyond mere monetary compensation. For example, the Mexican authorities had recently publicly acknowledged, at the highest level, the State's responsibility for the disappearance of Mr. Rosendo Radilla Pacheco in 1974 and erected a plaque in his memory, the wording of which had been prepared in collaboration with the victim's family. Such measures helped to strengthen both the rule of law and the social fabric.

50. While convinced that the draft general comment would greatly facilitate efforts on the national study, the Mexican authorities considered that it would be even more useful if the Committee made a clear distinction between an individual and collective victim. Lastly, considering that a court conviction was not a prerequisite for redress, Mexico asked the Committee to clarify when the State's obligation to provide redress would arise, and in particular to provide more details on the issue of the administrative, legislative and judicial measures required to better define the State's obligations to individual victims.

51. **Mr. Sibille Rivera** (Peru) said that Peru agreed with the principles outlined in the draft general comment, which it supported at both national and international levels. With regard to paragraph 4 of the working document, victim participation must extend to the development of redress programmes, seeking financing for them and implementing them. Peru welcomed the fact that public apology was included in the redress measures provided for in paragraph 15, along with commemorations and tributes to the victims. Regarding guarantees of non-repetition (para. 16), the Committee might include in the working document the role of national preventive mechanisms provided for in the Optional Protocol. Collective or symbolic redress could not replace individual redress, but were important because monetary compensation alone did not suffice. As for the removal of obstacles to the right to redress, he emphasized the role that civil society organizations, national human rights protection institutions and victim support groups played in protecting the rights of victims. He also drew attention to the administrative barriers faced by victim defence organizations, the persecution sometimes suffered by their members, and the problems of access to information encountered by persons trying to seek redress, particularly when they belonged to vulnerable groups which, for example, did not speak the national language.

52. **The Chairperson**, noting that the Committee had received 26 written communications from stakeholders since publishing the draft general comment on its web page, commended the quality of the dialogue.

53. **Mr. Mariño Menéndez** expressed concern about a possible contradiction between the comments made by some States parties and article 5 (2) of the Convention, which set forth the principle of the obligation to prosecute or extradite (*aut dedere, aut judicare*). He also drew attention to the issue of immunity of States, senior government officials and persons with diplomatic immunity, and stressed that immunity ended when those who enjoyed it ceased exercising their official duties.

54. **Ms. Sveaass** said that, as a psychologist long involved in rehabilitation of torture victims, she was all too aware of the difficulty of ensuring effective remedy, taking into account legal obligations and the needs of victims alike. The Committee had therefore sought to define clearly the scope of the obligation to provide redress, especially concerning rehabilitation, and to focus on victims, their families and other affected groups.

55. **Mr. Bruni** said that participants had expressed different views which the Committee should take into consideration. However, once adopted, the general comment would not be a compromise text, but would reflect the Committee's position based on its experience gained through the reporting process and on the contributions of all stakeholders; the aim being to guide and facilitate States parties' implementation of the Convention.

56. **Ms. Belmir** said that some delegations had mentioned the need to limit redress to the territory of the State party, while the draft general comment focused on the State party's jurisdiction, a broader concept than that of territory. Furthermore, in countries with a civil redress mechanism, nothing prevented victims, when no amnesty had been declared, from seeking redress through the courts. There was therefore a risk of duplication. There were also the problems faced by vulnerable victims when seeking redress. It was not simply a case of obstacles to access to information, because those persons had difficulty gaining access to justice.

57. **Ms. Gaer** emphasized that the distinction between State immunity and individual immunity was a fundamental principle to which the Committee was particularly committed. The trend in international law for greater State responsibility was in line with the Committee's concerns regarding article 14 of the Convention. In respect of compensation, she wished to know how many States parties had actually set up a national fund for torture victims.

58. **The Chairperson** said that the Committee was involved in the task of interpreting the text of the Convention against Torture, which was not a conventional type of treaty creating a set of rights and reciprocal obligations among States, but a humanitarian human rights instrument. All international courts had also recognized its humanitarian purpose. Therefore, in the face of several interpretations, the Committee always adopted the one that favoured the victim.

The meeting rose at 6 p.m.