



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

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## Committee against Torture

### **Statement of the Committee against Torture, adopted at its forty-ninth session (29 October–23 November 2012), on the report of the United Nations High Commissioner for Human Rights on the strengthening of the human rights treaty bodies (A/66/860)**

1. The Committee against Torture welcomes the report of the United Nations High Commissioner for Human Rights on the strengthening the human rights treaty bodies (A/66/860), issued in June 2012, and expresses its appreciation for the efforts of the High Commissioner following an extensive participatory process involving all the treaty body system's stakeholders. Efforts to strengthen the treaty body system, including adequate resourcing, are essential for the effective functioning of a system based on treaty obligations and assessments of compliance by independent supervisory bodies composed of independent experts. The adoption of working methods and rules of procedures by the treaty bodies themselves is a basic and fundamental expression of that independence.
2. The Committee will continue to discuss the valuable proposals compiled in the High Commissioner's report and pronounce itself on the specific proposals in due course. The following comments are an initial response to the recommendations contained therein.
3. The Committee welcomes the proposal for the simplified reporting procedure and notes that it initiated this procedure in 2007 through its new optional reporting procedure (lists of issues prior to reporting; see A/62/44, para. 23). The Committee against Torture was the first treaty body to use this procedure. The Committee agrees that establishing page limitations can preserve finances and notes that it has already carried out this proposal with regard to its own concluding observations, lists of issues and lists of issues prior to reporting. The Committee also notes that it has already implemented the recommendation not to request translation of its summary records.
4. The Committee strongly supports the need to fully recognize and reinforce the independence and impartiality of its members while performing their functions. The Committee's rules of procedure set a high standard for the independence and impartiality of its members, consistent with the standards for human rights treaty bodies as reflected in the Addis Ababa Guidelines, which the Committee will consider incorporating into its rules of procedure.
5. The Committee notes the proposal to establish a comprehensive reporting calendar to ensure timely reporting by States parties in accordance with their obligations. However, such a proposal will also require the need to ensure adequate financial and human resources as a prerequisite to the introduction of such a calendar, as well as the cooperation of the States parties. The Committee looks forward to further discussing the proposal and the

impact of the calendar on the workload and the working methods of the Committee, as well as for the whole treaty body system.

6. The Committee notes with interest the proposal for an aligned methodology for constructive dialogue between States parties and treaty bodies, and underscores that during its session the Committee conducts meetings of one hour to obtain information from civil society organizations and a dialogue of five hours with each State party. The Committee will consider adopting written guidelines which reflect the relevant proposals in the High Commissioner's report.

7. The Committee further notes with interest the proposals to strengthen the individual communications procedure. It highlights the importance of consistent standards of protection and aligned working approaches in dealing with communications. The Committee welcomes the establishment of a treaty body jurisprudence database.

8. The Committee welcomes the recommendation to adopt short, focused and concrete concluding observations, noting the efforts it has already taken in this regard, and endeavours to continue this work, as mentioned in paragraph 1 above, as well as the importance of offering clear recommendations to the States parties.

9. The Committee welcomes the recommendation to strengthen further its interaction with relevant United Nations entities and civil society organizations. The Committee has affirmed the value of reliable independent information from civil society organizations and of receiving briefings from relevant United Nations entities. The Committee notes that it already meets with United Nations entities and civil society organizations with regard to each report it considers and, as a matter of transparency, makes public all the contributions from civil society organizations received on its website, except when there is fear of reprisals.

10. The Committee supports the recommendations made concerning the need to monitor and put an end to reprisals against human rights defenders after engagement with the Committee. It considers such reprisals to be of great harm to the effort to ensure compliance with the Convention's requirements, and asserts its willingness to take urgent and consistent measures in case of reprisals. For that purpose, the Committee established during its current session rapporteurs on reprisals for its respective functions under articles 19 and 22 of the Convention.

11. The Committee highlights the importance of its follow-up procedure to concluding observations, noting that it has appointed two follow-up rapporteurs since 2003, one on country reports and one on individual communications. It has routinely discussed ways to improve its follow-up procedure to advance the implementation of the Convention's requirements.

12. The Committee welcomes the proposal concerning an aligned consultation process for the elaboration of general comments and will discuss it further.

13. While noting that since 2010 all public sessions involving dialogues with State party delegations have been webcasted in cooperation with non-governmental organizations, the Committee welcomes the different proposals made to enhance the visibility and accessibility of the treaty bodies, such as the introducing of webcasting and videoconferencing, and will further explore these possibilities.

14. The Committee against Torture reiterates the importance of the High Commissioner's proposals and looks forward to further discussing the recommendations of the report of the High Commissioner for Human Rights that are directed to the treaty bodies.