



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 fifty-first session (28 October–22 November 2013), on reprisals

1. The Committee against Torture has appointed two of its members as rapporteurs on reprisals: George Tugushi, for cases regarding those who provide information to the Committee under article 19 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in respect of periodic reports and follow-up on measures to give effect to the undertakings in the Convention; and Alessio Bruni, for cases regarding those who engage in the individual complaint procedure under article 22 of the Convention and inquiries under article 20, or who otherwise participate in these procedures. The Committee has commended the rapporteurs for the activities they have undertaken since November 2012, when the positions were established.
2. The Committee welcomes the statement of the Chairs of the human rights treaty bodies, who acknowledged at their twenty-fifth meeting, in May 2013, the “valuable contributions” of civil society organizations to the work of the treaty bodies “through submissions, inputs, hearings or briefings” (A/68/334, para. 34). Together with the Chairs, the Committee strongly reaffirms the vital role of individuals, groups and institutions that provide information to the Committee, and its appreciation to all those who are committed to the effective functioning of the Committee and the implementation of the entire Convention.
3. In setting out the obligation of each State party to ensure that individuals who allege torture have “the right to complain”, article 13 of the Convention stipulates that “steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given”.
4. The Committee reminds all State parties that, in accordance with their obligations under the Convention, they shall refrain from reprisals against individuals, groups and institutions that seek to cooperate with or otherwise assist the Committee, whether by providing it with information, or by communicating about the findings or actions of the Committee, advancing compliance with reporting obligations or assisting the Committee in the pursuit of any of its functions.
5. In cases where the Committee against Torture finds that reprisals have been initiated against non-governmental organizations or individuals for their cooperation and/or participation in the Committee’s work, as outlined above, the Committee plans to assess the situation based on the provisions of article 13 and the recommendations of the rapporteurs on reprisals. When claims are received, the rapporteurs will communicate with the

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complainants, authorities in the relevant State party, the Office of the United Nations High Commissioner for Human Rights and the Secretary-General to request the immediate cessation of such acts. Together with these communications, the Committee may ask its rapporteurs or other members to visit the States parties and places where the reprisals occurred, and also request local institutions, non-governmental organizations, and country-based representatives of the Office of the United Nations High Commissioner for Human Rights to conduct follow-up interviews and/or visits to places where the individuals or groups concerned are based. The Committee may also request further intervention of other relevant United Nations bodies and officials, including the High Commissioner for Human Rights.

6. The Committee will also report publicly, including in statements posted on its website and in its annual report, on the cases of reprisals it encounters and on measures taken to end them. It will also notify the Secretary-General for further action.

7. Those wishing to communicate with the Committee on the matter of reprisals can contact the rapporteurs at cat@ohchr.org.
