



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

Distr.: General  
20 July 2022

Original: English

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## Committee against Torture Seventy-fourth session

### Summary record of the first part (public)\* of the 1912th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 12 July 2022, at 10 a.m.

*Chair:* Mr. Heller

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\* The summary record of the second part (closed) of the meeting appears as document [CAT/C/SR.1912/Add.1](#).

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*The meeting was called to order at 10 a.m.*

### **Opening of the session**

1. **The Chair** declared open the seventy-fourth session of the Committee against Torture and welcomed the United Nations High Commissioner for Human Rights to the meeting.
2. **Ms. Bachelet** (United Nations High Commissioner for Human Rights) said that the Committee's role, together with the other United Nations anti-torture mechanisms, was key in the elimination of torture and in providing guidance to States parties on the implementation of the Convention. The Committee's monitoring mandate and efforts to combat torture were as critical as ever. Despite its absolute prohibition in law, torture continued to be practised in many countries.
3. The coronavirus disease (COVID-19) pandemic had presented the Committee and the other human rights treaty bodies with further challenges, which included a backlog of individual communications and State party reports and the late submission or non-submission of reports by many States. Overcoming those challenges had been the focus of a number of proposals aimed at strengthening the treaty body system, and the conclusions reached by the Chairs at their thirty-fourth annual meeting were a significant achievement in that respect.
4. The agreement of all treaty bodies to establish a predictable schedule of country reviews, with an eight-year cycle for full reviews with interim follow-up reviews, demonstrated their commitment to working together in order to strengthen the system and attract the necessary support from Member States. Corresponding progress on the harmonization of working methods was needed to minimize overlaps, ensure cost-effectiveness and take advantage of new digital tools.
5. Now that agreement had been reached on the conclusions, her Office would proceed to costing the Chairs' proposals for submission to the General Assembly. She trusted that the treaty body strengthening process would lead to the Committee having adequate support to carry out its important mandate, including the consideration of individual communications. The Committee could count on the full support of her Office to make that a reality. To that end, she had been exploring possibilities for strengthening the treaty bodies with the Controller and others. She had also recently met with the Chairs of the Third Committee and Fifth Committee to solicit their support.
6. The publication of the latest edition of the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) was a positive development. The Istanbul Protocol was relied upon around the world for guidance on the effective implementation of international obligations and on good practices for legal investigations of torture and ill-treatment. It had been updated to include recent jurisprudence on torture prevention, accountability and redress. She welcomed the recent joint statement on the key role of health-care professionals in preventing and documenting acts of torture and rehabilitating victims issued by the Committee, the Subcommittee on Prevention of Torture and the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture.
7. **The Chair** said that, on behalf of the Committee, he would like to express his appreciation for the moral authority and dedication to human rights that the High Commissioner had shown throughout her long and distinguished career.
8. It was encouraging that there were currently 173 States parties to the Convention and that accessions had been increasing thanks in part to the support of the Convention against Torture Initiative. The Subcommittee and national preventive mechanisms established in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment greatly complemented the Committee's work to achieve its primary objective, namely prevention. The Committee's dialogues with States parties were enriched by the participation of civil society organizations and cooperation with the World Organisation against Torture. The Committee also welcomed the recent launch of the revised version of the Istanbul Protocol, which was an instrument of major importance.

9. Although progress had been made, the practice of torture persisted, and certain States did not fulfil their obligations under the Convention. In some cases, torture was part of a deliberate government policy, while in others it reflected the weakness of the rule of law. The gap between the provisions adopted by Governments and the realities on the ground continued to be one of the Committee's most serious challenges. The Committee was concerned that some sought to justify torture in the fight against terrorism and that it continued to occur in conflict situations. The prevalence of regressive trends such as authoritarianism, extreme populism, racism and xenophobia was also a concern, as such trends could lead to the arbitrary use of force or torture against vulnerable populations.

10. The Committee was just a small part of the human rights system, which was awaiting a major overhaul. He regretted that no senior United Nations official had met with the Chairs of the treaty bodies on the occasion of their recent meeting in New York. The Committee lacked the necessary resources to fulfil its mandate and was being asked to do more with less. Many of the questions that had been raised by the Committee to the Office of the High Commissioner for Human Rights had not received a response. The Committee was determined to continue working alongside States parties and the Office to strengthen the treaty body system.

11. **Mr. Touzé** said that the Committee was honoured by the presence of the High Commissioner and he regretted that her mandate was coming to an end.

12. The Committee was facing a number of challenges that gave rise to fundamental and practical concerns. Fundamental concerns included the numerous violations of the Convention that were occurring in all countries. Many States were less and less open to dialogue and had adopted policies that were increasingly uncompromising. Furthermore, the current international situation had made the protection of human rights more and more difficult.

13. The practical concerns were linked to a lack of resources. Despite ongoing efforts to increase efficiency, the Committee had a significant backlog of country reports and individual communications. Furthermore, the Committee required the necessary means to be able to obtain its objectives and fulfil its mandate.

14. Lastly, budgetary issues had long been a matter of concern for the Committee. In that connection, the moral authority of the High Commissioner was an invaluable asset for representing the treaty body system.

15. **Ms. Bachelet** (United Nations High Commissioner for Human Rights) said that she, too, was frustrated at the lack of resources, as the Office had done everything possible to explain the situation to the former Chef de Cabinet of the Secretary-General and others and secure more resources for the human rights treaty bodies. Despite two General Assembly resolutions that made provision for the budget, in practical terms they had never been fully implemented and funds that were meant to be allocated under a specific formula established by the Assembly had never been forthcoming. There had been a need to draw on voluntary contributions because there had been insufficient resources from the regular budget. The aim, however, was to obtain the necessary resources from the regular budget to avoid any possible conflicts of interest. She was pleased that, after two years of delays in advancing the treaty body strengthening process, the Chairs had reached an agreement on a way forward. That had helped her to advocate for that process with the committees and officials concerned, including the Secretary-General.

16. She remained concerned about the prevalence of torture in the world, especially in a context of growing geopolitical and social instability. Since 2019, there had been protests in a large number of countries that had been met with an excessive use of force. The consequent increase in individual communications would be a challenge for the Committee. However, the Committee had an opportunity to work with Member States on prevention and training.

17. **The Chair** said that it was important for States to strengthen their human rights culture given the current climate of instability around the world. The multilateral system was in crisis and the Committee could make a positive contribution by strengthening its dialogue with States parties on prevention and training.

**Adoption of the agenda (CAT/C/74/1)**

18. *The agenda was adopted.*

**Organizational and other matters**

19. **The Chair** said that during the current session the Committee would consider four State party reports. The Committee would also consider a number of individual communications and he had requested that the working group on communications be allocated meeting time with interpretation, which had not been the case in the past. The Committee would meet with the national human rights institutions of the State of Palestine and the United Arab Emirates. It would consider its reports on follow-up to concluding observations, on follow-up to communications under article 22 and on allegations of reprisals.

*The public part of the meeting rose at 10.45 a.m.*