



United Nations

Report of the Committee against Torture

**Sixty-fourth session
(23 July–10 August 2018)**

**Sixty-fifth session
(12 November–7 December 2018)**

**Sixty-sixth session
(23 April–17 May 2019)**

**General Assembly
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United Nations • New York, 2019

Note

Symbols of United Nations documents are composed of letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Summary

The present annual report covers the period from 19 May 2018 to 17 May 2019, during which the Committee against Torture held its sixty-fourth, sixty-fifth and sixty-sixth sessions. As at 17 May 2019, there were 166 States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

During the period under review, the Committee considered, and adopted concluding observations on, 16 reports submitted under article 19 of the Convention (see chap. III). At its sixty-fourth session, it considered the reports of Chile, Mauritania, the Russian Federation and Seychelles. At its sixty-fifth session, it considered the reports of Canada, Guatemala, Maldives, the Netherlands, Peru and Viet Nam. At its sixty-sixth session, it considered the reports of Benin, the Democratic Republic of the Congo, Germany, Mexico, South Africa and the United Kingdom of Great Britain and Northern Ireland.

The Committee deeply regrets the fact that some States parties do not comply with their reporting obligations under article 19 of the Convention. At the time of reporting, there were 26 States parties with overdue initial reports and 39 States parties with overdue periodic reports (see chap. II).

The Committee's procedure for following up on concluding observations continued to develop during the reporting period (see chap. IV). The Committee expresses its appreciation to those States parties that have provided timely and thorough information to the Rapporteur for follow-up under article 19.

The Committee's procedure under article 20 continued during the reporting period (see chap. V).

Under article 22 of the Convention, the Committee adopted 25 decisions on the merits and declared 7 communications inadmissible. Consideration of complaints was discontinued in 22 cases (see chap. VI). A total of 932 complaints concerning 38 States parties have been registered since the entry into force of the Convention, including 58 since the writing of the previous report.

The Committee's workload under article 22 remains significant, as demonstrated by the large number of complaints registered during the reporting period and the Committee's efforts to reduce its backlog by considering an increased number of individual communications. At the end of the sixty-sixth session, 178 complaints were pending consideration (see chap. VI).

The Committee again notes that some States have failed to implement the decisions adopted on complaints. The Committee has continued to seek to ensure implementation of its decisions through its Rapporteurs for follow-up to article 22 (see chap. VI).

The Committee also paid particular attention to reprisals (see chap. I).

The Committee is concerned that the current financial crisis affecting the United Nations may have serious consequences for the treaty body system (see chap. VII).

Contents

<i>Chapter</i>	<i>Page</i>
I. Organizational and other matters	1
A. States parties to the Convention.....	1
B. Sessions and agendas of the Committee	1
C. Membership, officers and mandates	1
D. Oral report of the Chair to the General Assembly	1
E. Activities of the Committee in connection with the Optional Protocol to the Convention.....	2
F. Joint statement on the occasion of the United Nations International Day in Support of Victims of Torture and cooperation with the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture	2
G. Participation of non-governmental organizations	2
H. Participation of national human rights institutions and national preventive mechanisms	3
I. Rapporteur on reprisals.....	3
J. Treaty body strengthening process	3
K. Implementation of retreat decisions on the working methods of the Committee.....	4
L. Participation of Committee members in other meetings.....	4
II. Submission of reports by States parties under article 19 of the Convention	5
A. Invitation to submit periodic reports.....	6
B. Simplified reporting procedure	6
C. Reminders for overdue initial and periodic reports.....	7
D. Examination of measures taken by a State party in the absence of a report	7
III. Consideration of reports submitted by States parties under article 19 of the Convention	8
IV. Follow-up to concluding observations on States parties' reports.....	10
V. Activities of the Committee under article 20 of the Convention.....	11
VI. Consideration of complaints under article 22 of the Convention	11
A. Introduction	11
B. Interim measures of protection	12
C. Progress of work	12
D. Follow-up activities	14
VII. Meetings of the Committee in 2019	15
VIII. Adoption of the annual report of the Committee on its activities.....	15
Annexes	
Annex I.....	16
Annex II	17

I. Organizational and other matters

A. States parties to the Convention

1. As at 17 May 2019, the closing date of the sixty-sixth session of the Committee against Torture, there were 166 States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Convention was adopted by the General Assembly in its resolution 39/46 and entered into force on 26 June 1987.

2. Since the adoption of the Committee's previous annual report, Bahamas and Gambia ratified the Convention on 31 May 2018 and 28 September 2018 respectively. Samoa acceded to the Convention on 28 March 2019. The Committee calls upon all States that have not ratified the Convention to do so, and calls upon those that are already a party to accept all the procedures of the Convention, in order to enable the Committee to fulfil all aspects of its mandate.

3. All information on the status of the treaty, including declarations under articles 20, 21 and 22 and reservations and objections made by States parties with respect to the Convention, can be found at <http://treaties.un.org>.

B. Sessions and agendas of the Committee

4. The Committee has held three sessions since the adoption of its previous annual report. The sixty-fourth session (1654th to 1680th meetings) was held from 23 July to 10 August 2018, the sixty-fifth session (1681st to 1719th meetings) from 12 November to 7 December 2018 and the sixty-sixth session (1720th to 1757th meetings) from 23 April to 17 May 2019. Sessions were held at the United Nations Office at Geneva.

5. At its 1654th meeting, held on 23 July 2018, the Committee adopted the items listed in the provisional agenda submitted by the Secretary-General (CAT/C/64/1) as the agenda of its sixty-fourth session.

6. At its 1681st meeting, held on 12 November 2018, the Committee adopted the items listed in the provisional agenda submitted by the Secretary-General (CAT/C/65/1) as the agenda of its sixty-fifth session.

7. At its 1720th meeting, held on 23 April 2019, the Committee adopted the items listed in the provisional agenda submitted by the Secretary-General (CAT/C/66/1) as the agenda of its sixty-sixth session.

8. An account of the deliberations and decisions of the Committee at those three sessions is contained in the relevant summary records (CAT/C/SR.1654–1757).

C. Membership, officers and mandates

9. The list of members, officers and mandates from 19 May 2018 is contained in annex I to the present document.

D. Oral report of the Chair to the General Assembly

10. In accordance with paragraph 35 of General Assembly resolution 68/156, on 15 October 2018 the Chair of the Committee presented an oral report to and engaged in an interactive dialogue with the Assembly at its seventy-third session (see the Committee web page, hosted on the website of the Office of the United Nations High Commissioner for Human Rights (OHCHR), www.ohchr.org).

E. Activities of the Committee in connection with the Optional Protocol to the Convention

11. As at 17 May 2019, there were 89 States parties to the Optional Protocol to the Convention (see <http://treaties.un.org>). As required by the Optional Protocol, on 22 November 2018, a joint meeting was held between the members of the Committee and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. During that joint meeting, the Association for the Prevention of Torture organized a briefing on the development of a universal protocol for investigative interviewing and associated safeguards, which was also attended by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. Both treaty bodies and the Special Rapporteur pursued their cooperation through their active joint participation in several events, such as a side event during the General Assembly entitled “Universal protocol for non-coercive interviewing and attendant legal safeguards”, organized by the Anti-Torture Initiative and the Permanent Mission of Denmark to the United Nations and held in New York on 15 October 2018. In February 2019, the Chair of the Committee briefed the Subcommittee on Prevention of Torture regarding the Committee and its mandate, activities and working methods.

12. An additional meeting was held on 9 May 2019, between the Committee and the Chair of the Subcommittee on Prevention of Torture, at which the latter presented to the Committee the twelfth public annual report of the Subcommittee ([CAT/C/66/2](#)).

F. Joint statement on the occasion of the United Nations International Day in Support of Victims of Torture and cooperation with the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture

13. The Committee adopted a joint statement with the Subcommittee on Prevention of Torture, the Special Rapporteur on torture and the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture for issuance on 26 June 2018, the United Nations International Day in Support of Victims of Torture (see the web page of the Voluntary Fund at www.ohchr.org/EN/Issues/Torture/UNVFT/Pages/IntlDay.aspx). On 3 and 4 April 2019, Ana Racu attended a workshop entitled “Surviving torture and fighting stigma: the road to recovery for victims of sexual and gender-based torture”, held in Geneva and organized by the Board of Trustees. On 7 May 2019, during the sixty-sixth session, the Committee and the Chair of the Board of Trustees held their yearly joint meeting to discuss areas of common interest and cooperation.

G. Participation of non-governmental organizations

14. The Committee has long recognized the work of non-governmental organizations and has met with them in private on the day immediately before the consideration of each State party report submitted under article 19 of the Convention. The Committee expresses its appreciation to those organizations for their participation in the meetings and is particularly appreciative of the attendance of national non-governmental organizations, which provide immediate and direct information, both orally and in writing. The Committee conveys special thanks to non-governmental organizations, particularly the World Organization against Torture for its outstanding role in coordinating the input of non-governmental organizations to the work of the Committee since its fifty-second session. The Committee has benefited from thematic briefings organized by organizations, such as: (a) a briefing on vulnerable groups in detention, held on 2 August 2018 and organized by Penal Reform International with its partners the American Civil Liberties Union and the Association for the Prevention of Torture; (b) a briefing on the protection of women from violence under the Convention, held on 4 December 2018 and organized by the World Organization against Torture with Women’s Link Worldwide and co-sponsored by Amnesty International and the Global Justice Center; and (c) a briefing on control of the trade in tools of torture, held on 15 May 2019 and jointly organized by the Omega Research Foundation and Amnesty International.

H. Participation of national human rights institutions and national preventive mechanisms

15. Similarly, the Committee appreciates the work of national human rights institutions and national preventive mechanisms established by States parties as provided for under the Optional Protocol. Since the fifty-fifth session, those institutions and mechanisms have had the possibility of meeting in private plenary with the Committee. Specifically, at the sixty-fourth session, the Committee met with the institution of the Russian Federation and the institutions and mechanisms of Chile and Mauritania; at the sixty-fifth session, it met with the institutions of Canada, Guatemala and the Netherlands, the mechanism of Peru and the institution and mechanism of Maldives; and at the sixty-sixth session, it met with the institution of South Africa, the mechanisms of Germany and Mexico and the institution and mechanism of the United Kingdom of Great Britain and Northern Ireland. The Committee expresses its appreciation for the oral and written information that it receives from those bodies, and looks forward to continuing to benefit from that information, which has enhanced its understanding of the issues before it.

I. Rapporteur on reprisals

16. At its forty-ninth session, the Committee decided to adopt a mechanism to prevent, monitor and follow up on cases of reprisal against civil society organizations, human rights defenders, victims and witnesses after their engagement with the treaty body system. It subsequently appointed a rapporteur on reprisals under article 19 and a rapporteur on reprisals under articles 20 and 22. At its fifty-fifth session, the Committee adopted guidelines on the receipt and handling of allegations of reprisals against individuals and organizations cooperating with the Committee under articles 13, 19, 20 and 22 of the Convention (CAT/C/55/2). Those guidelines include a clear recognition of the value of the Guidelines against Intimidation or Reprisals (San José Guidelines).

17. At its sixty-third session, the Committee designated Ms. Racu as the rapporteur on reprisals under articles 19, 20 and 22. Information on action taken by rapporteurs during the reporting period is available on the Committee web page. Ms. Racu and Claude Heller Rouassant attended a workshop on reprisals, held in Geneva on 12 and 13 December 2018 and jointly organized by OHCHR and the International Service for Human Rights.

J. Treaty body strengthening process

18. At its sixty-fourth session, the Committee discussed the recommendations of the Chairs of the human rights treaty bodies at their thirtieth meeting, held in New York from 29 May to 1 June 2018. The Committee held a thorough discussion on the review of the human rights treaty body system to be conducted by the General Assembly in 2020. In that context, it developed a treaty-body-oriented position for the 2020 review. At that same session, the Committee held its first joint meeting in plenary session with the Human Rights Committee to discuss issues of common interest and areas of cooperation, including the 2020 review, the simplified reporting procedure, the Human Rights Committee's experience with its Working Group on Communications and jurisprudence on non-refoulement. In October 2018, Jens Modvig attended an expert seminar on the human rights treaty body review agenda for 2020 and the scope for local and national engagement, organized by the Norwegian Centre for Human Rights and held in Oslo. At its sixty-fifth session, the Committee held its first ever plenary meeting with the Committee on Enforced Disappearances, to discuss the 2020 review in particular. The Committee also designated two focal points for the 2020 review, Felice Gaer and Mr. Modvig. The Chair organized with Dignity – Danish Institute against Torture a meeting of treaty body focal points on the 2020 review, which was held in Copenhagen on 26 and 27 February 2019 and attended by Ms. Gaer and Mr. Modvig. At its sixty-sixth session, the Committee held informal meetings with States parties and non-governmental organizations on the 2020 review and the Committee's position (see annex II) respectively.

K. Implementation of retreat decisions on the working methods of the Committee

19. In follow-up to the decisions taken at its two-day retreat on working methods, held at its fifty-third session, the Committee undertook the following actions:

(a) Ten States (Antigua and Barbuda, Bangladesh, Cabo Verde, Côte d'Ivoire, the Dominican Republic, Lesotho, Malawi, the Niger, Seychelles and Somalia) with long-overdue initial reports were offered the simplified reporting procedure (see sect. II. D);

(b) A preliminary substantive evaluation of the simplified reporting procedure (see sect. II. B) was started;

(c) Guidelines for follow-up to concluding observations (CAT/C/55/3) were adopted;

(d) The contribution and participation of national human rights institutions, national preventive mechanisms and non-governmental organizations in the Committee's sessions was improved (see sect. I. G and H), including using new communication technologies, such as Skype and videoconferences;

(e) A working group on individual complaints was established so as to enable the Committee to apprehend fully the internal processes of the individual complaints procedure, and an intersessional working group on communications was set up to make recommendations to the Committee on draft decisions of inadmissibility and discontinuances;

(f) Guidelines on the receipt and handling of allegations of reprisals against individuals and organizations cooperating with the Committee (see sect. I. I) were adopted.

L. Participation of Committee members in other meetings

20. During the period under consideration, Committee members actively participated in several meetings, as follows:

(a) A round table entitled "Deprivation of liberty and armed conflicts: exploring realities and remedies", organized by the International Institute of Humanitarian Law and held in San Remo, Italy, from 6 to 8 September 2018, was attended by Abdelwahab Hani, Ms. Racu and Bakhtiyar Tuzmukhamedov;

(b) A forum to analyse the implementation of the general law for the prevention, investigation and sanction of torture in Mexico one year after its approval, organized by the national human rights institution and national preventive mechanism and the Association for the Prevention of Torture and held in Mexico City on 14 September 2018, was attended by Mr. Heller Rouassant;

(c) A training session for State officials of Belarus on reporting to the treaty bodies and the national mechanism for reporting and follow-up, organized by OHCHR and held in Minsk in mid-September 2018, was attended by Ms. Racu;

(d) An international colloquium on the right to access constitutional justice and challenges of a posteriori constitutional control, held in Marrakech, Morocco, on 27 and 28 September 2018, was attended by Essadia Belmir;

(e) An international conference entitled "The Ombudsman Institution in Moldova: 20 years of activity", held in Moldova in mid-October 2018, was attended by Ms. Racu;

(f) An expert seminar on domestic engagement and the 2020 treaty body review, held in Oslo on 17 and 18 October 2018, was attended by Mr. Modvig;

(g) The Nuremberg Forum 2018, on the theme of the twentieth anniversary of the Rome Statute of the International Criminal Court, held in Nuremberg, Germany, from 18 to 20 October 2018, was attended by Mr. Tuzmukhamedov;

(h) A conference on strengthening legal protection against torture in India, organized by the World Organization against Torture, the Commonwealth Human Rights Initiative, the International Commission of Jurists and the Quill Foundation and held in New Delhi from 23 to 27 October 2018, was attended by Mr. Heller Rouassant;

(i) A conference entitled “New millennium constitutionalism”, held in Yerevan on 1 and 2 November 2018, was attended by Mr. Tuzmukhamedov;

(j) An international law conference on reparations to individuals for violations of international human rights law and international humanitarian law, held in Washington, D.C., on 5 November 2018, was attended by Diego Rodríguez-Pinzón;

(k) A round table on evidence in international courts and tribunals, held in Moscow on 9 November 2018, was attended by Mr. Tuzmukhamedov;

(l) A training and capacity-building event on the Convention, organized by the Scottish Human Rights Commission and held in Edinburgh, United Kingdom, on 1 November 2018, was attended by Mr. Modvig;

(m) A high-level regional seminar on ratification and implementation of the Convention in the Pacific region and support for Pacific States in the processes of legislative review and drafting of anti-torture laws or amendments, organized by the Convention against Torture Initiative and held in Natadola, Fiji, from 6 to 8 February 2019, was attended by Mr. Rodríguez-Pinzón;

(n) An international conference on the priorities of international cooperation in countering violent extremism and terrorism, organized by the Inter-Agency Commission on Countering Extremism in the Russian Federation and held in Moscow on 29 March 2019, was attended by Mr. Tuzmukhamedov;

(o) A seminar on the implementation of the Mexican law on torture, organized by the German Agency for International Cooperation and the OHCHR office in Mexico and held in March 2019, was attended by Mr. Heller;

(p) A round table on the establishment of the national preventive mechanism and the draft code of penal procedure, organized by the National Human Rights Council of Morocco with the participation of the Subcommittee on Prevention of Torture, the Association for the Prevention of Torture and the Moroccan authorities and held in Rabat on 11 and 12 April 2019, was attended by Ms. Belmir;

(q) Two side events during the sixty-fourth ordinary session of the African Commission on Human and Peoples’ Rights entitled “Regional and international standards during the early hours of detention” and “Supporting State action against torture and ill-treatment in Africa”, held on 27 and 28 April 2019 in Sharm el-Sheikh, Egypt, were attended by Mr. Hani.

II. Submission of reports by States parties under article 19 of the Convention

21. During the period covered by the present report, 20 reports from States parties under article 19 of the Convention were submitted to the Secretary-General. Initial reports were submitted by the Niger, Seychelles and the United Arab Emirates. A second periodic report was submitted by Nicaragua. Third periodic reports were submitted by Bolivia (Plurinational State of), Kenya, Kyrgyzstan, Montenegro and Serbia. Fourth periodic reports were submitted by Belgium, Kazakhstan, Lithuania and Uruguay. A fifth periodic report was submitted by Cyprus. Sixth periodic reports were submitted by Australia and Latvia. Seventh periodic reports were submitted by Portugal and Ukraine. Eighth periodic reports were submitted by Luxembourg and Sweden.

22. As at 17 May 2019, the Committee had received a total of 448 reports and had examined 426; there were 26 States parties with overdue initial reports and 39 States parties with overdue periodic reports.

A. Invitation to submit periodic reports

23. Further to its decision taken at its forty-first session,¹ the Committee continued during the period under review to invite States parties, in the last paragraph of the concluding observations, to submit their next periodic reports within a four-year period from the adoption of the concluding observations, indicating the due date of the next report in the same paragraph.

24. In addition, further to its decision taken at its forty-seventh session,² the Committee continued during the period under review to invite States parties to accept, within one year from the adoption of the concluding observations, to report under the simplified reporting procedure, or, if a State party had already agreed to report under the procedure, to indicate that the Committee would submit to the State party, in due course, a list of issues prior to the submission of its next periodic report.

B. Simplified reporting procedure

25. The Committee welcomes the fact that a high number of States parties have accepted the simplified reporting procedure, which consists of the preparation and adoption of a list of issues to be transmitted to States parties prior to the submission of a State party's periodic report (known as the list of issues prior to reporting). The procedure is aimed at assisting States parties to fulfil their reporting obligations, as it strengthens the cooperation between the Committee and States parties.³ While the Committee understands that, since 2007, the adoption of lists of issues prior to reporting has facilitated the States parties' reporting obligations, it nonetheless wishes to emphasize that the procedure of drafting lists of issues prior to reporting has increased its workload substantially, as their preparation requires more work than the lists of issues following the submission of a State party's report. That is particularly significant in a Committee with such a small membership.

26. At its sixty-fifth session, the Committee adopted lists of issues prior to reporting with regard to the States parties that had accepted the invitation to submit their next report, due in 2020, under that procedure: France, Israel, Philippines and Turkey. Those lists of issues prior to reporting were transmitted to the respective States parties.

27. At its sixty-sixth session, the Committee adopted lists of issues prior to reporting with regard to the States parties that had accepted the invitation to submit their next report, due in 2020, under that procedure: Honduras, Kuwait and Mongolia. It also adopted lists of issues prior to reporting with regard to two States parties, the Dominican Republic and Lesotho, that had accepted the simplified reporting procedure for overdue initial reports.

28. At the retreat on its working methods, the Committee decided to offer the simplified reporting procedure to States parties with long-overdue initial reports (two States per year). It also decided to establish a working group to contribute to a substantive evaluation of the simplified reporting procedure. The Committee took into account the report of the secretariat on the status of the optional reporting procedure (CAT/C/47/2) and the note by the secretariat on the simplified reporting procedure (HRI/MC/2014/4) issued following the adoption by the General Assembly of resolution 68/268. At its fifty-fifth session, the Committee held a discussion on a preliminary evaluation of the simplified reporting procedure.

29. In the Committee's view, the fact that only 4 of the 134 States parties that are at the periodic reporting stage declined to report under the simplified reporting procedure indicates the success of the procedure; 97 have expressly accepted to report under it and the remaining 37 have not yet answered, have not yet been invited to report under it or have declined. In addition, the fact that other treaty bodies have also adopted that procedure

¹ See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 44 (A/64/44)*, para. 26.

² *Ibid.*, *Sixty-seventh Session, Supplement No. 44 (A/67/44)*, para. 33.

³ *Ibid.*, *Sixty-sixth Session, Supplement No. 44 (A/66/44)*, paras. 28–35.

indicates its clear added value for the reporting system. It should also be noted that, on 29 January 2016, for the first time, a State with a long-overdue initial report, Côte d'Ivoire, accepted the simplified reporting procedure offered by the Committee. Similarly, the simplified reporting procedure for long-overdue initial reports was accepted by Malawi on 8 December 2016 and by Somalia on 2 February 2017. In addition, the Dominican Republic and Lesotho accepted the simplified reporting procedure for their overdue initial reports on 30 May 2018 and 23 July 2018 respectively (see sect. II. D).

30. Updated information relating to the procedure is available from a dedicated web page (www.ohchr.org/EN/HRBodies/CAT/Pages/ReportingProcedures.aspx). On 10 and 11 December 2018, Ms. Gaer and Mr. Hani attended a workshop on the simplified reporting procedure, held in Geneva and jointly organized by OHCHR and the Geneva Academy of International Humanitarian Law and Human Rights.

C. Reminders for overdue initial and periodic reports

31. At its fifty-third session, the Committee decided to send reminders to all States parties whose initial reports were overdue and to all States parties whose periodic reports were four or more years overdue.

32. The Committee drew the attention of those States parties to the fact that delays in reporting seriously hamper the implementation of the Convention in the States parties and the ability of the Committee to carry out its function of monitoring that implementation. The Committee requested information on the progress made by those States parties in fulfilling their reporting obligations and on any obstacles that they might be facing in that respect. It also informed them that, in accordance with rule 67 of its rules of procedure, the Committee might proceed with a review of the implementation of the Convention in the State party in the absence of a report, and that the review would be carried out on the basis of information that was available to the Committee, including sources from outside the United Nations. In its annual reports, the Committee also reminds States parties of their reporting obligations under the Convention. At its sixty-third session, the Committee held a meeting with States with long-overdue initial reports so as to receive their feedback on the challenges they faced in the drafting of initial reports and related needs. The Committee reiterates its support to the Convention against Torture Initiative, which is actively engaged in the universal ratification of the Convention and its full implementation, including the compliance of States with their reporting obligations. The Committee attended several activities organized by the Initiative.

D. Examination of measures taken by a State party in the absence of a report

33. The Committee decided at its fifty-second session to take action with regard to States parties whose initial reports were long overdue. Noting that the initial reports of Cabo Verde and Seychelles had been overdue since 1993, the Committee decided to send a specific reminder to those States parties to submit their initial reports before the fifty-fourth session of the Committee. At the end of the fifty-third session, the Committee decided to offer those States parties the simplified reporting procedure. If they did not accept the simplified reporting procedure or if reports under the traditional reporting procedure were not received pursuant to article 67 of its rules of procedure, the Committee would conduct at a future session an examination, in the absence of a report, of the measures taken by each of those States parties to implement the provisions of the Convention in its territory. While Seychelles indicated that a report was under preparation, Cabo Verde did not reply. At its fifty-sixth session, the Committee decided to examine the situation of Cabo Verde in the absence of a report by the end of 2016. At the same session, the Committee decided to send specific reminders to Antigua and Barbuda and to Côte d'Ivoire to submit their long-overdue initial reports or to accept the simplified reporting procedure. If they did not accept the simplified reporting procedure or if initial reports were not received pursuant to article 67 of its rules of procedure, the Committee would conduct at a future session an examination, in the absence of a report. At its fifty-seventh session, the Committee decided

to examine the situation of Cabo Verde in the absence of a report at its fifty-ninth session. On 29 January 2016, Côte d'Ivoire accepted the simplified reporting procedure and received a list of issues prior to reporting that the Committee had adopted at its fifty-ninth session. At its fifty-eighth session, in the absence of a reply from Antigua and Barbuda, the Committee notified the State party that it would examine its situation in the absence of a report at its sixty-first session. At its fifty-ninth session, the Committee examined the situation of Cabo Verde in the absence of a report. At the same session, the Committee decided to send a specific reminder to Malawi and Somalia to submit their long-overdue initial reports and to offer them the simplified reporting procedure. If they did not accept the simplified reporting procedure or if reports under the traditional reporting procedure were not received pursuant to article 67 of its rules of procedure, the Committee would conduct at a future session an examination, in the absence of a report. On 8 December 2016, Malawi accepted the simplified reporting procedure and on 2 February 2017, Somalia accepted the simplified reporting procedure. Both States received lists of issues prior to reporting that the Committee had adopted at its sixty-second session. At its sixty-first session, the Committee examined the situation of Antigua and Barbuda in the absence of a report. At the same session, it decided to notify Seychelles that it would examine the situation in the absence of a report at its sixty-fourth session. At the sixty-second session, specific reminders were sent to Bangladesh and the Niger to submit their long-overdue initial reports and to offer them the simplified reporting procedure. If they did not accept the simplified reporting procedure or if reports under the traditional reporting procedure were not received pursuant to article 67 of its rules of procedure, the Committee would at a future session conduct an examination, in the absence of a report. At its sixty-fourth session, the Committee received and examined the initial report of Seychelles. At the same session, the Committee decided to notify Bangladesh that it would examine the situation in the absence of a report at its sixty-sixth session. On 7 June 2018, the Niger submitted its long-overdue initial report.

III. Consideration of reports submitted by States parties under article 19 of the Convention

34. At its sixty-fourth, sixty-fifth and sixty-sixth sessions, the Committee considered reports submitted by 16 States parties under article 19 (1) of the Convention and adopted 16 sets of concluding observations.

35. The reports considered by the Committee at its sixty-fourth session and the concluding observations thereon are available from the Official Document System of the United Nations (<http://documents.un.org>) under the symbols indicated below:

<i>Party</i>	<i>Country rapporteurs</i>	<i>Report</i>	<i>Concluding observations</i>
Chile	Ana Racu Diego Rodríguez-Pinzón	Sixth periodic report (CAT/C/CHL/6)	CAT/C/CHL/CO/6
Mauritania	Sébastien Touzé Essadia Belmir	Second periodic report (CAT/C/MRT/2)	CAT/C/MRT/CO/2
Russian Federation	Jens Modvig Claude Heller Rouassant	Sixth periodic report (CAT/C/RUS/6)	CAT/C/RUS/CO/6
Seychelles	Abdelwahab Hani Bakhtiyar Tuzmukhamedov	Initial report (CAT/C/SYC/1)	CAT/C/SYC/CO/1 and Corr.1

36. The reports considered by the Committee at its sixty-fifth session and the concluding observations thereon are available from the Official Document System of the United Nations (<http://documents.un.org>) under the symbols indicated below:

<i>Party</i>	<i>Country rapporteurs</i>	<i>Report</i>	<i>Concluding observations</i>
Canada	Sébastien Touzé Bakhtiyar Tuzmukhamedov	Seventh periodic report (CAT/C/CAN/7)	CAT/C/CAN/CO/7
Guatemala	Diego Rodríguez- Pinzón Ana Racu	Seventh periodic report (CAT/C/GTM/7)	CAT/C/GTM/CO/7
Maldives	Felice Gaer Abdelwahab Hani	Initial report (CAT/C/MDV/1)	CAT/C/MDV/CO/1
Netherlands	Abdelwahab Hani Honghong Zhang	Seventh periodic report (CAT/C/NLD/7)	CAT/C/NLD/CO/7
Peru	Claude Heller Rouassant Diego Rodríguez- Pinzón	Seventh periodic report (CAT/C/PER/7)	CAT/C/PER/CO/7
Viet Nam	Jens Modvig Essadia Belmir	Initial report (CAT/C/VNM/1)	CAT/C/VNM/CO/1

37. The reports considered by the Committee at its sixty-sixth session and the concluding observations thereon are available from the Official Document System of the United Nations (<http://documents.un.org>) under the symbols indicated below:

<i>Party</i>	<i>Country rapporteurs</i>	<i>Report</i>	<i>Concluding observations</i>
Benin	Abdelwahab Hani Honghong Zhang	Third periodic report (CAT/C/BEN/3)	CAT/C/BEN/CO/3
Democratic Republic of the Congo	Sébastien Touzé Essadia Belmir	Second periodic report (CAT/C/COD/2)	CAT/C/COD/CO/2
Germany	Claude Heller Rouassant Bakhtiyar Tuzmukhamedov	Sixth periodic report (CAT/C/DEU/6)	CAT/C/DEU/CO/6
Mexico	Diego Rodríguez-Pinzón Jens Modvig	Seventh periodic report (CAT/C/MEX/7)	CAT/C/MEX/CO/7
South Africa	Ana Racu Essadia Belmir	Second periodic report (CAT/C/ZAF/2)	CAT/C/ZAF/CO/2
United Kingdom of Great Britain and Northern Ireland	Felice Gaer Claude Heller Rouassant	Sixth periodic report (CAT/C/GBR/6 and Corr.1)	CAT/C/GBR/CO/6

38. In accordance with rule 68 of the Committee's rules of procedure, representatives of each reporting State were invited to attend the meetings of the Committee when their report was examined. All of the States parties whose reports were considered sent representatives to participate in the examination of their respective reports. The Committee expressed its appreciation for that in its concluding observations.

39. Two country rapporteurs were designated by the Committee for each of the reports considered, as reflected in the tables above.

IV. Follow-up to concluding observations on States parties' reports

40. At its thirtieth session, in May 2003, the Committee developed a procedure to provide for follow-up subsequent to the adoption of the concluding observations on reports of States parties under article 19 of the Convention.⁴ The Committee has presented information in each of its annual reports thereafter, outlining its experience in receiving information on follow-up measures taken by States parties, including substantive trends and further modifications that it has made in the procedure. A more detailed description of the procedure can be found in the guidelines for follow-up to concluding observations, adopted by the Committee at its fifty-fifth session (CAT/C/55/3).

41. In accordance with its rules of procedure, the Committee established the post of Rapporteur for follow-up to concluding observations under article 19 of the Convention. Over the period covered by the present annual report, Mr. Hani continued to fill that post.

42. From May 2003 to the end of the sixty-sixth session, in May 2019, the Committee reviewed 247 reports from States parties for which it identified follow-up recommendations. Of the 225 follow-up reports that had been due by 17 May 2019, at the time of the adoption of the present report, 166 had been received by the Committee, for an overall response rate of 74 per cent. The status of the follow-up is compiled in a chart maintained on the web page of the Committee.⁵ Additional information, including submissions by States parties, communications sent by the Rapporteur for follow-up, State party responses and reports from national human rights institutions, non-governmental organizations and other civil society actors, are posted on that web page.

43. As at 17 May 2019, the following States had not yet supplied follow-up information that had fallen due:⁶ Albania (forty-eighth session), Antigua and Barbuda (sixty-first), Cabo Verde (fifty-ninth), Cambodia (forty-fifth), Cameroon (sixty-second), Chad (forty-second), Congo (fifty-fourth), Costa Rica (fortieth), Djibouti (forty-seventh), El Salvador (forty-third), Ethiopia (forty-fifth), Gabon (forty-ninth), Ghana (forty-sixth), Guinea (fifty-second), Holy See (fifty-second), Indonesia (fortieth), Iraq (fifty-fifth), Jordan (fifty-sixth), Luxembourg (fifty-fourth), Madagascar (forty-seventh), Mozambique (fifty-first), Namibia (fifty-ninth), Nicaragua (forty-second), Pakistan (sixtieth), Paraguay (sixty-first), Philippines (fifty-seventh), Republic of Moldova (sixty-second), Rwanda (sixty-second), Sierra Leone (fifty-second), Sri Lanka (fifty-ninth), Syrian Arab Republic (forty-eighth), Uganda (thirty-fourth), Yemen (forty-fourth) and Zambia (fortieth).

44. The Rapporteur sends reminders requesting the outstanding information to each State party for which follow-up information is due, but has not yet been submitted. During the period under review, the Rapporteur sent reminders to Antigua and Barbuda, Cabo Verde, Namibia, Pakistan, Paraguay, the Republic of Korea and Sri Lanka.⁷

45. From 19 May 2018 to 17 May 2019, follow-up reports were received from the following States parties,⁸ in the order of receipt: Mongolia (CAT/C/MNG/CO/2/Add.1, 27 May 2018); Lebanon (CAT/C/LBN/CO/1/Add.1, 6 June 2018); Afghanistan (CAT/C/AFG/CO/2/Add.1, 28 June 2018); Ireland (CAT/C/IRL/CO/2/Add.1, 9 August 2018); Panama (CAT/C/PAN/CO/4/Add.1, 22 August 2018); Bulgaria (CAT/C/BGR/CO/6/Add.1, 6 December 2018); Mauritius (CAT/C/MUS/CO/4/Add.1, 6 December 2018); Timor-Leste (CAT/C/TLS/CO/1/Add.1, 18 December 2018); Italy

⁴ See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 44 (A/58/44)*, para. 12.

⁵ In 2010, the Committee established a separate web page for follow-up: https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/FollowUp.aspx?Treaty=CAT&Lang=en. An overview of the follow-up procedure since 2003 can be found at the same web page.

⁶ States parties that did not supply follow-up information prior to the submission of their next periodic report are not included in the list.

⁷ Communications sent by the Rapporteur for follow-up to concluding observations are available from the web page for follow-up.

⁸ Follow-up reports submitted by States parties are available from the web page for follow-up.

(CAT/C/ITA/CO/5-6/Add.1, 21 December 2018); Republic of Korea (CAT/C/KOR/CO/3-5/Add.1, 15 February 2019); Senegal (CAT/C/SEN/CO/4/Add.1, 18 February 2019); Bosnia and Herzegovina (CAT/C/BIH/CO/6/Add.1, 5 March 2019); and Norway (CAT/C/NOR/CO/8/Add.1, 13 May 2019).

46. The Rapporteur expresses appreciation for the information provided by those States parties regarding measures taken to implement their obligations under the Convention. He assesses the responses received as to whether all the issues identified by the Committee for follow-up have been addressed by the State party and whether the information provided responds to the Committee's concerns and recommendations. The Rapporteur communicates with States parties under the follow-up procedure once their report has been received and assessed. Such communications reflect the analysis carried out by the Rapporteur and specify the pending issues. During the period under review, such communications were sent in letters dated 20 August 2018 to Armenia, Azerbaijan, China, Hong Kong, China, Macao, China, Ecuador, Finland, France, Honduras, Israel, Monaco, Tunisia and Venezuela (Bolivarian Republic of); in letters dated 23 October 2018 to Afghanistan, Argentina, Bahrain, Kuwait, Mongolia and Panama; and in a letter dated 11 December 2018 to Saudi Arabia.⁹

47. The Rapporteur also expresses appreciation for the information submitted by national human rights institutions, human rights non-governmental organizations and civil society groups under the follow-up procedure. As at 17 May 2019, the Committee had received follow-up reports from such sources in relation to the reports on the following, in the order of receipt: Hong Kong, China; Bahrain; Lebanon; Finland; Ireland; Philippines; Afghanistan; and Republic of Moldova.¹⁰

48. At the sixty-fourth, sixty-fifth and sixty-sixth sessions, the Rapporteur for follow-up to concluding observations presented oral progress reports on the procedure to the Committee, as had been done at previous sessions.

V. Activities of the Committee under article 20 of the Convention

49. The Committee's work under article 20 of the Convention continued during the period under review.

50. In the framework of the Committee's follow-up activities, the rapporteurs on article 20 continued to carry out activities aimed at encouraging States parties on which enquiries had been conducted and the results of such enquiries had been published to take measures to implement the Committee's recommendations. At its fifty-sixth session, the Committee adopted internal guidelines on practical modalities and criteria for deciding on follow-up visits to inquiry missions carried out under article 20 of the Convention.

VI. Consideration of complaints under article 22 of the Convention

A. Introduction

51. Under article 22 of the Convention, individuals who claim to be victims of a violation by a State party of the provisions of the Convention may submit a complaint to the Committee for consideration, subject to the conditions laid down in that article. Sixty-eight States parties to the Convention have declared that they recognize the competence of the Committee to receive and consider complaints under article 22 of the Convention. No

⁹ Communications sent by the Rapporteur for follow-up to concluding observations are available from the web page for follow-up.

¹⁰ Those submissions are also available from the web page for follow-up.

complaint may be considered by the Committee if it concerns a State party to the Convention that has not recognized the Committee's competence under article 22.

52. In accordance with rule 104, paragraph 1, of its rules of procedure, the Committee established the post of Rapporteur on new complaints and interim measures, which is currently held by Mr. Touzé.

53. Complaints under article 22 of the Convention are considered in closed meetings. All documents relating to the work of the Committee under article 22, that is, submissions from the parties and other working documents of the Committee, are confidential.

54. The Committee decides on a complaint in the light of all the information made available to it by the parties. The findings of the Committee are communicated to the parties and are made available to the public. The text of the Committee's decisions declaring complaints inadmissible or discontinuing the examination of a case are also made public, without disclosing the identity of the complainant, but identifying the State party concerned.

B. Interim measures of protection

55. Complainants frequently request preventive protection, particularly in cases concerning imminent expulsion or extradition, where they allege a risk of violation of article 3 of the Convention. Pursuant to rule 114, paragraph 1, of its rules of procedure, at any time after the receipt of a complaint, the Committee, through its Rapporteur on new complaints and interim measures, may transmit to the State party concerned a request that it take such interim measures as the Committee considers necessary to avoid irreparable damage to the victim(s) of the alleged violation(s). The State party is to be informed that such a request does not imply a determination of the admissibility or the merits of the complaint. During the reporting period, requests for interim measures of protection were received in 53 complaints that were registered, of which 33 were granted by the Rapporteur on new complaints and interim measures, who regularly monitors the compliance by States parties with such requests.

C. Progress of work

56. At the time of adoption of the present report, the Committee had registered, since 1989, 932 complaints concerning 39 States parties.¹¹ Of those, 279 complaints had been discontinued and 108 had been declared inadmissible. The Committee had adopted final decisions on the merits on 383 complaints and found violations of the Convention in 150 of them. Some 178 complaints were pending consideration. All the Committee's decisions on the merits, those declaring a complaint inadmissible and discontinuance decisions can be found in the treaty body case law database (<http://juris.ohchr.org/>), on the OHCHR website (www2.ohchr.org) and the Official Document System of the United Nations (<http://documents.un.org/prod/ods.nsf/home.xsp>).

57. At its sixty-fourth session, the Committee adopted decisions on the merits in respect of seven communications. In *A.N. v. Switzerland* (CAT/C/64/D/742/2016), the Committee found that the deportation of the complainant to Italy by the State party would violate articles 3, 14 and 16 of the Convention. The Committee found that the forcible returns or extraditions of the complainants would not constitute a violation of article 3 of the Convention by the States parties in its decisions on *B.N.T.K. v. Sweden* (CAT/C/64/D/641/2014), *G.A. v. Australia* (CAT/C/64/D/680/2015), *S.A.M. v. Denmark* (CAT/C/64/D/693/2015), *Z. v. Switzerland* (CAT/C/64/D/738/2016), *H.R.E.S. v. Switzerland* (CAT/C/64/D/783/2016) and *Gharsallah v. Morocco* (CAT/C/64/D/810/2017).

¹¹ The complaints examined by the Committee in relation to the Federal Republic of Yugoslavia, as well as to Serbia and Montenegro, are attributed to Serbia for statistical purposes.

58. The Committee also found three communications, *Nakawunde v. Canada* (CAT/C/64/D/615/2014), *A.B. v. Germany* (CAT/C/64/D/727/2016) and *J.O. v. Georgia* (CAT/C/64/D/730/2016), inadmissible, and discontinued the consideration of *X. v. Ukraine* (CAT/C/64/D/451/2011), *P.S. v. Canada* (CAT/C/64/D/656/2015), *A.S. v. Canada* (CAT/C/64/D/689/2015), *M.S. v. Canada* (CAT/C/64/D/694/2015), *V.K. and S.K. v. Switzerland* (CAT/C/64/D/724/2016), *M.A.A. v. Denmark* (CAT/C/64/D/733/2016), *A.E.M. v. Australia* (CAT/C/64/D/803/2017) and *N.A.A. et al. v. Switzerland* (CAT/C/64/D/814/2017).

59. At its sixty-fifth session, on 30 November 2018, the Committee held an exchange of views with the European Court of Human Rights, represented by Judge Ganna Yudkivska, the African Court on Human and Peoples' Rights, represented by Judge Rafâa Ben Achour (via videoconference) and the Inter-American Court of Human Rights, represented by Carlos E. Gao (via videoconference). At that meeting, which was generously supported by the International Institute of Human Rights, participants discussed universal civil jurisdiction and the right to a remedy for acts of torture and ill-treatment, particularly the respective jurisprudence. During the session, the Committee adopted decisions on the merits in respect of nine communications. In *Harun v. Switzerland* (CAT/C/65/D/758/2016), the Committee concluded that the return of the complainant to Italy by the State party would constitute a violation of article 3 of the Convention. In *Yrusta and Yrusta v. Argentina* (CAT/C/65/D/778/2016), the Committee found that the victim had been subjected to torture, in violation of article 2 (1), read in conjunction with article 1, and articles 11 to 14 of the Convention. In *M.G. v. Switzerland* (CAT/C/65/D/811/2017 and Corr.1), the Committee concluded that the return of the complainant to Eritrea by the State party would violate article 3 of the Convention. The Committee found that the forcible return of the complainants would not constitute a violation by the States parties of article 3 of the Convention in its decisions on *S. v. Sweden* (CAT/C/65/D/691/2015), *S.H. v. Australia* (CAT/C/65/D/761/2016), *X. v. Switzerland* (CAT/C/65/D/765/2016), *E.T. v. Netherlands* (CAT/C/65/D/801/2017), *Y.G. v. Switzerland* (CAT/C/65/D/822/2017) and *A.M. v. Switzerland* (CAT/C/65/D/841/2017).

60. The Committee also found two communications, *T.T.P. v. Australia* (CAT/C/65/D/756/2016) and *F.K.A. v. Canada* (CAT/C/65/D/784/2016), inadmissible and discontinued the consideration of *B.M. v. Switzerland* (CAT/C/65/D/584/2014), *A.S. v. Canada* (CAT/C/65/D/679/2015), *K.B. v. Canada* (CAT/C/65/D/739/2016), *M.A. v. Sweden* (CAT/C/65/D/796/2017) and *A.M. v. Sweden* (CAT/C/65/D/859/2018).

61. At its sixty-sixth session, the Committee adopted decisions on the merits in respect of nine communications. In *I.A. v. Sweden* (CAT/C/66/D/729/2016), *Erdogan v. Morocco* (CAT/C/66/D/827/2017), *Onder v. Morocco* (CAT/C/66/D/845/2017) and *Ayden v. Morocco* (CAT/C/66/D/846/2017), the Committee found that the forcible return or extradition of the complainants would constitute a violation by the States parties of article 3 of the Convention. In the three cases against Morocco, the Committee found that the State party had an obligation to assess the risk of torture and ill-treatment when considering extradition requests. The Committee found that the forcible return or extradition of the complainants would not constitute a violation by the States parties of article 3 of the Convention in its decisions on *M.J.S. v. Netherlands* (CAT/C/66/D/757/2016), *J.M. v. Netherlands* (CAT/C/66/D/768/2016), *J.I. v. Netherlands* (CAT/C/66/D/771/2016), *X and Y v. Switzerland* (CAT/C/66/D/776/2016) and *C.F.T. v. Switzerland* (CAT/C/66/D/829/2017).

62. The Committee also found two communications, *A v. Australia* (CAT/C/66/D/749/2016) and *B v. Switzerland* (CAT/C/66/D/820/2017), inadmissible, and discontinued the consideration of *M.Z. v. Australia* (CAT/C/66/D/624/2014), *C.R.R. v. Denmark* (CAT/C/66/D/735/2016), *K and K v. Netherlands* (CAT/C/66/D/760/2016), *R v. Australia* (CAT/C/66/D/766/2016), *L.K. v. Australia* (CAT/C/66/D/772/2016); *R.D. et al. v. Canada* (CAT/C/66/D/777/2016), *K.T. v. Australia* (CAT/C/66/D/788/2016), *M.B. v. Switzerland* (CAT/C/66/D/797/2017) and *T v. Sweden* (CAT/C/66/D/825/2017).

D. Follow-up activities

63. At its twenty-eighth session, in May 2002, the Committee established the function of Rapporteur for follow-up to decisions on complaints submitted under article 22, which is currently held by Mr. Heller. At its 527th meeting, on 16 May 2002, the Committee decided that the Rapporteur should engage, inter alia, in the following activities: monitoring compliance with the Committee's decisions by sending notes verbales to States parties enquiring about measures adopted pursuant to the Committee's decisions; recommending to the Committee appropriate action upon the receipt of responses from States parties, in situations of non-response, and upon the receipt henceforth of all letters from complainants concerning non-implementation of the Committee's decisions; meeting with representatives of the permanent missions of States parties to encourage compliance and to determine whether advisory services or technical assistance by OHCHR would be appropriate or desirable; conducting with the approval of the Committee follow-up visits to States parties; and preparing periodic reports for the Committee on his or her activities.

64. During its sixty-fourth session, the Committee reviewed submissions related to seven cases that are currently monitored through the Committee's follow-up procedure. The Committee decided to close the follow-up dialogue, with a note of satisfactory resolution, with regard to the decision on *Alhaj Ali v. Morocco* (CAT/C/58/D/682/2015), where the State party submitted that Mr. Alhaj Ali had been released from detention. The Committee reviewed the information received with regard to six other decisions and decided to keep the follow-up dialogue open, while requesting a meeting with the representatives of the Permanent Missions in regard to two decisions, and sending a letter of reminder for the States parties' follow-up observations in regard to three decisions.

65. During its sixty-fifth session, the Committee reviewed submissions related to eight cases that are currently monitored through the Committee's follow-up procedure. The Committee decided to close the follow-up dialogue, despite the absence of a satisfactory resolution, with regard to the decision on *M.B. et al. v. Denmark* (CAT/C/59/D/634/2014), wherein the complainants had gone missing and the State party and the counsel indicated that they did not wish to submit further follow-up information or comments. The Committee further decided to close the follow-up dialogue, with a note of satisfactory resolution, with regard to the decision on *R.H. v. Sweden* (CAT/C/63/D/750/2016), wherein the complainant had been granted refugee status and a renewable residence permit. The Committee reviewed the information received with regard to six other decisions and decided to keep the follow-up dialogue open, while requesting regular updates by the State party on the status of implementation of the Committee's decision in one case, and sending a second letter requesting the State party to refrain from reprisals against the complainant and his wife in the other case. The Committee also held a meeting on follow-up with the representatives of the Permanent Missions of Canada and Morocco.

66. During the sixty-sixth session, the Committee reviewed submissions related to 11 cases that are currently monitored through the Committee's follow-up procedure. The Committee decided to inform the State party and the complainant that the follow-up dialogue with regard to the decision on *K.H. v. Denmark* (CAT/C/49/D/464/2011) had been closed at its fiftieth session, as the complainant had been granted a residence permit. The Committee reviewed the information received with regard to 10 other decisions and decided to keep the follow-up dialogue open. The Committee decided to request updates by the State party concerned on the status of implementation of the Committee's decisions in seven cases, and to send a letter reiterating its request to the State party to refrain from reprisals against the complainant in one case. The Committee decided to express particular concern at the lack of implementation of its decisions in *Aarrass v. Morocco* (CAT/C/52/D/477/2011) and *Asfari v. Morocco* (CAT/C/59/D/606/2014).

67. At the time of the adoption of the present report, the Committee had closed the follow-up dialogue with a note of satisfactory or partially satisfactory resolution with regard to 65 communications, out of a total of 150 communications where it had found violations of different provisions of the Convention. Additional information may be found in documents CAT/C/64/2, CAT/C/65/3 and CAT/C/66/3.

VII. Meetings of the Committee in 2019

68. Further to General Assembly resolution 68/268, the Committee is to hold two further regular sessions in 2019: the sixty-seventh session (22 July–9 August 2019) and the sixty-eighth session (11 November–6 December 2019). In a letter dated 30 April 2019, the United Nations High Commissioner for Human Rights informed all treaty bodies that due to the shortfall in funding, further exacerbated by a deepening cash-flow crisis for the United Nations and a 25-per-cent reduction in the resources budgeted for the travel of high-level experts, it might not be possible to hold a number of sessions scheduled for later in 2019. The sessions affected would include the third sessions of those treaty bodies that would normally meet more than twice during the year, including the Committee's session in November to December 2019. By midyear, the United Nations Secretariat should have a clearer understanding of the financial situation for the United Nations in general and for OHCHR, particularly the treaty bodies, for the remainder of the year. The Secretariat would confirm at that time whether it would be possible for the sessions to proceed. During the sixty-sixth session, the Committee alerted States parties and non-governmental organizations to the gravity of the situation, which could have serious consequences for the treaty body system. On 10 May 2019, the Chair of the Committee, jointly with the Chairs of the other treaty bodies, sent a letter to the Secretary-General and the High Commissioner. Without questioning the seriousness of the current financial situation, or the need to respond to the situation by taking practical measures, including through savings in expenditure, the Chairs of the treaty bodies highlighted that the treaty bodies, as an independent, legally based and expert-driven system focused on the oversight of fundamental human rights, was entitled to greater protection. They stressed that it was particularly unfortunate that such undermining was happening at the current time, since in 2020 the General Assembly would review the human rights treaty body system. The budget cuts and their consequences would set benchmarks in that review process and would thus prevent it from making a positive and constructive contribution to the future of human rights protection. The Chairs of the treaty bodies believed that responding to the crisis by cutting back on legally obligatory oversight of human rights commitments would set a poor example and merely encourage those States whose human rights records required critical scrutiny to continue to evade their responsibilities by cutting funding even further. A more effective – and robust – response would be to protect the integrity of the human rights treaty body system, thereby sending a clear message to States that the legal oversight of their human rights obligations would not be resiled from.

VIII. Adoption of the annual report of the Committee on its activities

69. In accordance with article 24 of the Convention, the Committee is required to submit an annual report on its activities to the States parties and to the General Assembly. Since the Committee holds its third regular session of each calendar year in November, which coincides with the regular sessions of the General Assembly, it adopts its annual report at the end of its spring session, for transmission to the General Assembly during the same calendar year. Accordingly, at its 1756th meeting, held on 17 May 2019 (see [CAT/C/SR.1756](#)), the Committee considered and adopted the report on its activities at the sixty-fourth, sixty-fifth and sixty-sixth sessions

Annex I

Membership, officers and mandates from 19 May 2018

<i>Name of member</i>	<i>Country of nationality</i>	<i>Term expires on 31 December</i>
Essadia Belmir (Vice-Chair)	Morocco	2021
Felice Gaer (Vice-Chair)	United States of America	2019
Abdelwahab Hani (Rapporteur on follow-up to art. 19)	Tunisia	2019
Claude Heller Rouassant (Vice-Chair) (Rapporteur on follow-up on decisions adopted under art. 22)	Mexico	2019
Jens Modvig (Chair)	Denmark	2021
Ana Racu (Rapporteur on reprisals)	Republic of Moldova	2019
Diego Rodríguez-Pinzón	Colombia	2021
Sébastien Touzé (Rapporteur) (Rapporteur on new complaints and interim measures)	France	2019
Bakhtiyar Tuzmukhamedov	Russian Federation	2021
Honghong Zhang	China	2021

Annex II

Treaty body strengthening process: position of the Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Introduction

1. The Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment subscribes to the statement by the Chairs of the human rights treaty bodies in the context of the upcoming 2020 review of the treaty body system (A/73/140, annex III) that the following parameters should serve as guiding principles for the treaty body strengthening process:

- (a) Strengthened protection of rights holders;
- (b) Preservation of the integrity of the treaty body system and of the independence of both the committees and their experts;
- (c) Enhanced implementation of treaty obligations and the related recommendations of treaty bodies;
- (d) Balance of the need for more aligned procedures and working methods with the specific mandates of each treaty body.

2. The Committee has discussed the draft list of questions and topics on the treaty body strengthening process that was prepared by the Chairs, and wishes to express the following views.

Consolidated calendar and reports

3. The Committee appreciates the benefits of a more coordinated approach to the scheduling of State party reviews. Without any coordination, some States parties may face the task of reporting to several treaty bodies within a single calendar year. This is not necessary and can be prevented by using the calendar of treaty body reviews and making individual arrangements with States parties affected, such as by postponing the review by one treaty body by a year. This calendar is available at the following web page: https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/MasterCalendar.aspx?Type=Session&Lang=En.

4. However, the Committee is not in favour of a consolidated calendar with a fixed timetable of reviews of States parties by all committees. Such a calendar would be rigid and would lack the capacity to make late- or non-reporting States to report on time. Such rigidity may lead to the calendar's collapse if a State party fails to bring a delegation to Geneva for scheduled reporting due to circumstances beyond its control.

5. Another obstacle is that not all treaties have the same periodicity of reporting. In the case of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the reporting cycle is four years, and the Committee finds that it would be inappropriate to change this cycle.

6. The Committee is also concerned about logistical issues that may arise with a consolidated calendar. In particular, it is concerned about the availability of office space at the United Nations Office at Geneva to accommodate simultaneous meetings of all treaty bodies, with attendance by large delegations from States parties comprising representatives of both Governments and non-governmental organizations; bureaucratic hurdles that may stand in the way of coordination between multiple stakeholders at the national level when the State party is putting together an amalgamated delegation; and the possible financial burden on both the United Nations and States parties.

7. As for the time allocated to each review, the Committee has aligned its procedures with the practice of other committees and allocated six hours to constructive dialogue with States parties, divided into two sessions of three hours each, with an interval of approximately 24 hours to allow for preparation and consultation with the capital. In addition, the Committee allocates one session of three hours to the private briefing with stakeholders (national human rights institution, national preventive mechanisms and civil society organizations) one day before the review.

8. This allocation of time makes it possible to cover the most relevant topics under our Convention. Halving this time, to three hours, would seriously impede the Committee's ability to cover all necessary topics during the dialogue.

9. Lastly, the Committee believes that consolidated reports would run the risk of more superficial treatment of the specific areas covered by the specialized treaties, in particular the sensitive topics of relevance to the Committee. For this reason, the Committee would prefer to maintain separate reports for the individual committees.

Sessional chambers

10. The Committee is one of the smallest committees, and has so far not been operating in chambers. However, the Committee is not opposed to doing so, if need be, and acknowledges that there are many ways to increase its capacity for State party reviews and decisions on individual communications under the current Committee structure. Currently, the Committee has an intersessional working group for individual communications, mandated to make recommendations to the Committee on cases recommended for discontinuance or decisions of inadmissibility. Such working groups have the potential to further increase the decision capacity of the Committee.

Lists of issues prior to reporting

11. The Committee is in favour of holding focused dialogue with States parties, avoiding unnecessary duplication between committees and addressing in each case the most important topics of the Convention. While a specific limitation of the questions may be too rigid (a word limit already applies), the Committee will subject the lists of issues prior to reporting to closer scrutiny in order to focus the dialogue with each State party on the priority topics. Treatment by several committees of overlapping topics may be justified by, inter alia, the argument that it rarely leads to duplication because committees approach the same topic from different angles.

Simplified reporting procedure

12. The Committee developed this procedure and considers that it can be beneficial for both the Committee and the State party. The Committee uses it for both initial and periodic reports and intends to continue doing so.

Considering States Parties reports in the regions

13. The Committee takes a very positive view of the idea of moving some or all dialogues with States parties from Geneva to regional hubs. It acknowledges, however, that many problems arise from such models, and that solutions need to be found. If United Nations regional offices were used, some of the infrastructural problems would be solved.

14. The advantages of regional reviews may include lower travel costs for States parties, better participation and engagement of local stakeholders, and more awareness of the treaty body review itself among the media and the general population.

15. Regional reviews could be undertaken by the Committee as a whole, by one chamber or by two country rapporteurs only, accompanied by the relevant staff members of the Office of the United Nations High Commissioner for Human Rights. In the case of

reviews by two country rapporteurs only, the Committee could in principle undertake five simultaneous review processes in five regions. If each team of two rapporteurs were to review three countries each, 15 country reviews could be conducted during a single session. Under such a model, the drafting and adoption of concluding observations would need to take place during a subsequent plenary session, probably in Geneva, one to two weeks after the regional reviews. Holding three sessions a year would imply a capacity to review 45 State party reports each year, which is very close to the current requirement to cope with 193 States parties reporting every four years (48.25 reports per year).

Late and non-reporting States

16. The Committee does not believe that scheduling reviews in a consolidated calendar will in itself motivate late- and non-reporting States to report, particularly if reports are also consolidated and must cover several or all treaties. Rather, in the Committee's experience, individually negotiated arrangements, such as videoconferences and some flexibility in the scheduling of the review, have led to better reporting compliance. As mentioned, the Committee also has positive experience of offering the simplified reporting procedure to late- and non-reporting States.

17. On one occasion, a review of a State party report took place by means of a good-quality video link. While this solution is not ideal and should not be abused, it could be acceptable under certain conditions and allow for reviews to proceed that would otherwise be halted by resource constraints in the State party. In order to enable States to involve governmental experts who cannot be physically present at the review, the use of technology needs to be supported. Videoconferencing can significantly lower the national costs of engaging with the treaty bodies and can be effectively used mainly by countries located in a similar time zone to Geneva, such as a number of African States.

Maximum number of session weeks

18. The Committee is of the view that approximately 12 session weeks is the maximum for most of its members.

Strengthening work and increasing capacity

19. The Committee is of the opinion that reviews undertaken in the regions would strengthen the work of the treaty bodies and, if conducted in country teams, would substantially increase the review capacity of the Committee, enabling it to deal with 45–50 State party reports per year, compared to the current capacity of 18 reports per year.