



**United Nations**

# **Report of the Committee against Torture**

**Sixty-ninth session  
(13 July 2020)**

**Seventieth session  
(26–28 April 2021)**

**General Assembly  
Official Records  
Seventy-sixth Session  
Supplement No. 44**





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*Note*

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Mention of such a symbol indicates a reference to a United Nations document.

## *Summary*

The present annual report covers the period from 16 May 2020 to 28 April 2021, during which the Committee against Torture held its sixty-ninth and seventieth sessions online, in a special format, and carried out other activities online, owing to the situation related to the coronavirus disease (COVID-19) pandemic. As at 28 April 2021, there were 171 States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

During the period under review, the Committee, owing to the COVID-19 situation, postponed its consideration of the reports of Belgium, Bolivia (Plurinational State of), Kyrgyzstan, Lithuania, Serbia, State of Palestine, Sweden and Ukraine, and the country situation of Nigeria, scheduled for 2020, and the reports of Cuba, Iceland, Kenya, Montenegro, the United Arab Emirates and Uruguay, scheduled for the seventieth session.

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 28 States parties with overdue initial reports and 40 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 declared 4 communications inadmissible, discontinued the consideration of 34 communications, and postponed the examination of 1 communication (see chap. VI). A total of 1,068 complaints concerning 42 States parties have been registered since the entry into force of the Convention, including 66 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 has increased further owing to the COVID-19 pandemic and its consequences on the work of the Committee. As at 28 April 2021, 219 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 Rapporteur for follow-up on decisions adopted under article 22 (see chap. VI).

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

## 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 .....	2
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. Participation of Committee members in other meetings.....	4
II. Submission of reports by States parties under article 19 of the Convention .....	5
A. Simplified reporting procedure .....	5
B. Reminders for overdue initial and periodic reports.....	6
C. Examination of measures taken by a State party in the absence of a report .....	6
III. Consideration of reports submitted by States parties under article 19 of the Convention .....	6
IV. Follow-up to concluding observations on States parties' reports .....	7
V. Activities of the Committee under article 20 of the Convention .....	8
VI. Consideration of complaints under article 22 of the Convention .....	8
A. Introduction .....	8
B. Interim measures of protection .....	9
C. Progress of work.....	9
D. Follow-up activities .....	10
VII. Meetings of the Committee in 2021 .....	10
VIII. Adoption of the annual report of the Committee on its activities.....	10
Annex	
Membership, officers and mandates.....	11

## **I. Organizational and other matters**

### **A. States parties to the Convention**

1. As at 28 April 2021, the closing date of the seventieth session of the Committee against Torture, there were 171 States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
2. Since the adoption of the Committee's previous annual report (A/75/44), Oman and St. Kitts and Nevis acceded to the Convention, on 9 June 2020 and 21 September 2020, respectively. 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. Since the adoption of its previous annual report, the Committee held its sixty-ninth and seventieth sessions, online in a special format, and carried out other activities online, owing to the situation related to the coronavirus disease (COVID-19) pandemic. The sixty-ninth session (1823rd meeting) was held on Monday, 13 July 2020, from 1 to 2.55 p.m., and the seventieth session (1824th to 1826th meetings) was held from 26 to 28 April 2021, with each meeting held from 12.30 to 2.30 p.m.
5. The agenda of the sixty-ninth and seventieth sessions are contained in documents [CAT/C/69/1/Rev.1](#) and [CAT/C/70/1](#).
6. An account of the deliberations and decisions of the Committee at the sessions that were held is contained in the relevant summary records of the public meetings ([CAT/C/SR.1823](#), [CAT/C/SR.1824](#) and [CAT/C/SR.1826/Add.1](#)).

### **C. Membership, officers and mandates**

7. The list of members, officers and mandates is contained in the annex. Due to the postponement of the sixty-ninth session, the three new members could not make their solemn declaration in open Committee to enable them to assume their duties, as required under rule 14 of the Committee's rules of procedure. Given the exceptional circumstances resulting from the global COVID-19 pandemic, the continuing travel restrictions and the related impossibility of holding in-person sessions of Committees in Geneva in 2020, the Committee decided that new members should deposit signed solemn declarations with the Secretariat and that the Secretariat would post them on the Committee's web page. The deposit of declarations was announced during the online public session on Monday, 13 July 2020. At the next in-person session, the three new members will orally confirm their oath.
8. As provided for under rule 12, the Chair, members of the Bureau and rapporteurs may continue performing the duties assigned to them until one day before the first meeting of the Committee composed of its new members, at which it elects its officers. Given the exceptional circumstances resulting from the COVID-19 pandemic, and in light of rules 12 and 14, the Chair, members of the Bureau and rapporteurs continued performing the duties assigned to them, and will do so until one day before the first meeting of the Committee at the next in-person session. On 18 March 2021, Jens Modvig resigned from the Committee owing to new professional responsibilities. Since then, Claude Heller has served as the acting Chair of the Committee. In accordance with the provisions of article 17 (6) of the Convention, the appointment of a Danish member of the Committee would be considered approved unless

half or more of the States parties were to respond negatively within six weeks from the date of the notification of the nomination by Denmark, that is, by 30 April 2021.

#### **D. Oral report of the Chair to the General Assembly**

9. In accordance with General Assembly resolution 74/143, on 15 October 2020 then Chair of the Committee, Mr. Modvig, presented the Committee's report ([A/75/44](#)) to the Assembly at its seventy-fifth session, and engaged in an interactive dialogue with the Assembly. Owing to the COVID-19 situation, the presentation of the report and the interactive dialogue took place virtually.<sup>1</sup>

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

10. As at 28 April 2021, there were 90 States parties to the Optional Protocol to the Convention.<sup>2</sup> As required by the Optional Protocol, and bearing in mind the COVID-19 pandemic and the absence of in situ sessions, on 12 November 2020 a joint online meeting, attended by the Chair of the Committee and members of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, was held. At the joint meeting, the members of both treaty bodies exchanged views on the impact of the COVID-19 pandemic on their respective work and the implications of the treaty body strengthening process for the joint work of the Committee and the Subcommittee, in particular with regard to the coordination of country reviews and visits.

11. The regular meeting between the Committee and the Chair of the Subcommittee, required under the Optional Protocol, for the presentation to the Committee of the fourteenth public annual report of the Subcommittee ([CAT/C/70/2](#)) could not take place.

#### **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**

12. The Committee adopted a joint statement with the Subcommittee on Prevention of Torture, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture for issuance on 26 June 2020, the United Nations International Day in Support of Victims of Torture.<sup>3</sup> In addition, the United Nations anti-torture mechanisms participated in a webinar entitled "Combatting torture and ill-treatment in times of COVID-19: testimonies from the ground", organized by OHCHR and the Association for the Prevention of Torture to mark the Day.

#### **G. Participation of non-governmental organizations**

13. The Committee has long recognized the work of non-governmental organizations (NGOs) and has an established practice consisting in meeting 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 NGOs, which provide immediate and direct information both orally and in writing. The Committee conveys special thanks to the World Organization against Torture for its outstanding role in coordinating, since the Committee's fifty-second session, the input submitted by NGOs relating to the work of the Committee. During the sixty-ninth session,

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<sup>1</sup> 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/](http://www.ohchr.org/).

<sup>2</sup> See <http://treaties.un.org/>.

<sup>3</sup> See [www.ohchr.org/EN/Issues/Torture/UNVFT/Pages/Torture-related-events.aspx](http://www.ohchr.org/EN/Issues/Torture/UNVFT/Pages/Torture-related-events.aspx).

the World Organization against Torture, on behalf of NGOs, as well as the Kenyan Section of the International Commission of Jurists, made a statement on the relevance of the work of the Committee in the context of the COVID-19 situation and related challenges. On 28 January 2021, the World Organization against Torture held a private webinar on extra-custodial use of force amounting to torture and other ill-treatment for the Committee against Torture, with the participation of the Subcommittee, the Special Rapporteur on torture, and some permanent missions and NGOs. Mr. Heller made a presentation on the extra-custodial use of force. During the seventieth session, the Committee held a private meeting online with a coalition of NGOs to discuss online activities and related challenges and achievements.

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

14. 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. 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**

15. 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).

16. At its sixty-third session, the Committee designated Ana 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.

## **J. Treaty body strengthening process**

17. The Committee continued to be actively engaged in the General Assembly's 2020 review of the human rights treaty body system, including through the provision of substantive inputs to the co-facilitators of the review.<sup>4</sup> In the context of lists of issues prior to reporting, the Committee began to implement, on a pilot basis, the concrete measures it adopted at its sixty-eighth session to ensure that dialogues with and recommendations for States parties were more focused and coordinated with other treaty body reviews ([A/75/44](#), annex III).

18. During the reporting period, in order to address challenges common to most treaty bodies, such as the backlog of individual complaints, non-reporting and late reporting by many States, the harmonization of working methods, and the implications of the COVID-19 pandemic, the Committee has been actively engaged in the meetings of the Chairs of the human rights treaty bodies and the informal working group on COVID-19. On behalf of the Committee, Erdoğan İşcan attended all the meetings of the informal working group. The Chair of the Committee, Mr. İşcan and Diego Rodriguez-Pinzón attended, on 2 and 3 December 2020, a meeting of that working group focused on working methods, facilitated by the Geneva Academy of International Humanitarian Law and Human Rights.

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<sup>4</sup> For the Committee's past engagement in the treaty body strengthening process, see [A/75/44](#), para. 18.

## K. Participation of Committee members in other meetings

19. During the period under consideration, Committee members participated in several events, as follows:

(a) Mr. Rodriguez-Pinzon delivered a virtual presentation at an event marking the United Nations International Day in Support of Victims of Torture, hosted by the Executive Commission for Victim Support of Mexico, on 26 June 2020;

(b) Mr. Rodriguez-Pinzon participated in an online panel discussion on challenges in the visibilization, registration and denouncing of torture and other cruel, inhuman or degrading treatment or punishment, hosted by the national preventive mechanism of Argentina, held on 15 October 2020;

(c) Mr. Heller attended an online workshop on international humanitarian law and United Nations treaty bodies organized by the Geneva Academy of International Humanitarian Law and Human Rights, held on 17, 19 and 23 November 2020;

(d) Mr. Modvig attended an online technical workshop for Commonwealth Caribbean countries on sharing experiences of ratification of, legislative reform relating to, and reporting under the Convention against Torture organized by the Convention against Torture Initiative, held from 1 to 3 December 2020;

(e) Mr. Rodriguez-Pinzon participated as speaker in a webinar for litigators on the individual communications procedures of the treaty bodies, organized by the NGO Network on Treaty Bodies (TB-Net), the Open Society Justice Initiative, the International Service for Human Rights and Amnesty International, held on 4 December 2020;

(f) Ms. Belmir made a presentation on the Convention against Torture and its implications during a human rights capacity-building programme for judges, held by the authorities of Morocco in mid-December 2020;

(g) Mr. Rodriguez-Pinzon participated, online, in a dialogue on immigration detention hosted by the Caribbean Centre for Human Rights in Trinidad and Tobago, held on 10 February 2021;

(h) Mr. Modvig organized, jointly with Dignity – Institute against Torture, and participated in, a webinar on monitoring health in places of detention, held on 13 January 2021;

(i) Mr. Heller attended an online workshop on strengthening capacities to report under the simplified reporting procedure organized by OHCHR for the Government of Belize, held on 3 and 4 February 2021;

(j) Mr. Rodriguez-Pinzon participated in a virtual panel entitled “Criminalizing torture in Pakistan: the need for an effective legal framework”, hosted by the World Organization against Torture and Justice Project Pakistan, held on 15 March 2021;

(k) Ms. Racu attended a webinar, entitled “Protecting women from torture: the UN Convention against Torture through a gendered lens”, organized by the World Organization against Torture as part of its global week against torture held from 22 to 25 March 2021;

(l) Liu Huawen attended, as a panellist, an Asia-Pacific peer-to-peer webinar on the impact of COVID-19 on mental health, held on 31 March 2021. It was the first regional meeting in the context of a series of webinars jointly organized by the informal working group on COVID-19, the Human Rights Treaties Branch (capacity-building programme) and the respective OHCHR regional offices.

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

20. Between 16 May 2020 and 28 April 2021, 15 reports from States parties under article 19 of the Convention were submitted to the Secretary-General.<sup>5</sup> Second periodic reports were submitted by Brazil, Thailand and Uganda. Third periodic reports were submitted by Burundi, Honduras and Turkmenistan. Fourth periodic reports were submitted by Jordan, Kuwait and North Macedonia. Fifth periodic reports were submitted by Armenia and Turkey. A sixth periodic report was submitted by Israel. A seventh periodic report was submitted by Monaco. Eighth periodic reports were submitted by Ecuador and Finland.

21. As at 28 April 2021, the Committee had received a total of 483 reports and had examined 436; there were 28 States parties with overdue initial reports and 40 States parties with overdue periodic reports.

### A. Simplified reporting procedure

22. 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 (A/66/44, paras. 28–35). 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.

23. Although the November 2020 session was postponed, the Committee adopted, intersessionally, lists of issues prior to reporting with regard to the States parties that had accepted the invitation to submit their next report, due in 2021, under that procedure: Bosnia and Herzegovina ([CAT/C/BIH/QPR/7](#)), Bulgaria ([CAT/C/BGR/QPR/7](#)), Cameroon ([CAT/C/CMR/QPR/6](#)), Italy ([CAT/C/ITA/QPR/7](#)), Mauritius ([CAT/C/MUS/QPR/5](#)) and the Republic of Moldova ([CAT/C/MDA/QPR/4](#)). Those lists of issues prior to reporting were transmitted to the respective States parties. It also adopted a list of issues prior to reporting with regard to one State party, Botswana ([CAT/C/BWA/QPR/1](#)), that had accepted the simplified reporting procedure for overdue initial reports.

24. At its seventieth 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 2022, under that procedure: Belarus ([CAT/C/BLR/QPR/6](#)), Chile ([CAT/C/CHL/QPR/7](#)), Czechia ([CAT/C/CZE/QPR/7](#)), Norway ([CAT/C/NOR/QPR/9](#)), Qatar ([CAT/C/QAT/QPR/4](#)), the Russian Federation ([CAT/C/RUS/QPR/7](#)) and Senegal ([CAT/C/SEN/QPR/5](#)).

25. In the Committee's view, the fact that only 4 of the 137 States parties that are at the periodic reporting stage have declined to report under the simplified reporting procedure indicates the success of the procedure. Of the other 133 States parties, 100 have expressly accepted to report under it and the remaining 33 have not yet answered or have not yet been invited to report under it. In addition, the fact that other treaty bodies have also adopted that procedure indicates its clear added value for the reporting system. Since 2016, a number of States with long-overdue initial reports have been offered the simplified reporting procedure.

26. Updated information relating to the procedure is available from a dedicated web page.<sup>6</sup>

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<sup>5</sup> The eighth periodic report of France ([CAT/C/FRA/8](#)), submitted on 15 May 2020, was not reflected in the previous report.

<sup>6</sup> See [www.ohchr.org/EN/HRBodies/CAT/Pages/ReportingProcedures.aspx](http://www.ohchr.org/EN/HRBodies/CAT/Pages/ReportingProcedures.aspx).

## B. Reminders for overdue initial and periodic reports

27. 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.

28. The Committee drew the attention of those States parties to the fact that delays in reporting seriously hampered 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 for 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. During the sixty-ninth session, the Convention against Torture Initiative made a statement on the particular relevance of the Committee's work in the context of the COVID-19 pandemic and provided an overview of the related challenges and the Initiative's activities.

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

29. The Committee continued to take action with regard to States parties whose initial reports were long overdue, in accordance with the decision taken at its fifty-second session to do so ([A/69/44](#), para. 46). The Committee followed its well-established practice of sending specific reminders to States parties to remind them 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 initial reports were not received pursuant to article 67 of its rules of procedure, the Committee arranged to conduct, at a future session, an examination in the absence of a report. As at 28 April 2021, 13 States with long-overdue initial reports (Antigua and Barbuda, Bangladesh, Botswana, Cabo Verde, Côte d'Ivoire, the Dominican Republic, Lesotho, Malawi, Mali, the Niger, Nigeria, Seychelles and Somalia) had been offered the simplified reporting procedure,<sup>7</sup> and the Committee had examined the situation of two of those States (Antigua and Barbuda and Cabo Verde) in the absence of a report ([A/74/44](#), para. 33). Bangladesh, Malawi, the Niger, Seychelles and Somalia submitted their initial reports.

30. At its sixty-eighth session, the Committee decided to examine the situation in Nigeria in the absence of its initial report at the November 2020 session; the examination was postponed owing to the COVID-19 pandemic.

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

31. Owing to the COVID-19 pandemic and the impossibility of holding in-person sessions, the consideration of reports and one country situation initially scheduled for 2020 – Belgium ([CAT/C/BEL/4](#)), Bolivia (Plurinational State of) ([CAT/C/BOL/3](#)), Kyrgyzstan ([CAT/C/KGZ/3](#)), Lithuania ([CAT/C/LTU/4](#)), Serbia ([CAT/C/SRB/3](#)), the State of Palestine ([CAT/C/PSE/1](#)), Sweden ([CAT/C/SWE/8](#)), Ukraine ([CAT/C/UKR/7](#)) and the country

<sup>7</sup> [A/69/44](#), para. 46; [A/70/44](#), para. 40; [A/71/44](#), para. 35; [A/72/44](#), para. 34; [A/73/44](#), para. 34; [A/74/44](#), para. 33; and [A/75/44](#), paras. 32–35.

situation of Nigeria – was postponed to 2021. The reports of Cuba ([CAT/C/CUB/3](#)), Kenya ([CAT/C/KEN/3](#)), Iceland ([CAT/C/ISL/4](#)), Montenegro ([CAT/C/MNE/3](#)), the United Arab Emirates ([CAT/C/ARE/1](#)) and Uruguay ([CAT/C/URY/4](#)), initially scheduled for the seventieth session, were not considered during the period under review due to the COVID-19 situation. The reports are available from the Official Document System of the United Nations.<sup>8</sup>

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

32. 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 ([A/58/44](#), para. 12). 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](#)).

33. 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. During the period covered by the present report, Bakhtiyor Tuzmukhamedov continued to serve as the Rapporteur for follow-up to concluding observations a.i.

34. From May 2003 to the end of the period under review, the Committee had reviewed 256 reports from States parties for which it had identified follow-up recommendations. As at 28 April 2021, 193 follow-up reports had been received by the Committee, for an overall response rate of 75.4 per cent. The status of the follow-up is compiled in a chart maintained on the web page of the Committee.<sup>9</sup> 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, NGOs and other civil society actors, are posted on that web page.

35. As at 28 April 2021, the following States had not yet supplied follow-up information that had fallen due:<sup>10</sup> Albania (forty-eighth session), Antigua and Barbuda (sixty-first), Bangladesh (sixty-seventh), Benin (sixty-sixth), Burkina Faso (sixty-eighth), Cabo Verde (fifty-ninth), Cambodia (forty-fifth), Congo (fifty-fourth), Djibouti (forty-seventh), Gabon (forty-ninth), Ghana (forty-sixth), Guinea (fifty-second), Holy See (fifty-second), Indonesia (fortieth), Madagascar (forty-seventh), Mozambique (fifty-first), Namibia (fifty-ninth), Niger (sixty-eighth), Peru (sixty-fifth), Philippines (fifty-seventh), Rwanda (sixty-second), Seychelles (sixty-fourth), Sierra Leone (fifty-second), Sri Lanka (fifty-ninth), Syrian Arab Republic (forty-eighth), Tajikistan (sixty-third), Togo (sixty-seventh), Yemen (forty-fourth) and Zambia (fortieth).

36. The Rapporteur sent reminders, requesting the outstanding information, to each State party for which follow-up information was due but had not yet been submitted. During the period under review, such reminders were sent in letters dated 11 August 2020 to Benin, the Democratic Republic of the Congo, South Africa and the United Kingdom of Great Britain and Northern Ireland; in a letter dated 6 November 2020 to Belarus; in letters dated 7 December 2020 to Bangladesh and Togo; and in letters dated 23 March 2021 to Burkina Faso and the Niger.<sup>11</sup>

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<sup>8</sup> See <http://documents.un.org>.

<sup>9</sup> In 2010, the Committee established a separate web page for follow-up:

[https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/FollowUp.aspx?Treaty=CAT&Lang=en](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/FollowUp.aspx?Treaty=CAT&Lang=en).

An overview of the follow-up procedure since 2003 can be found at the same web page.

<sup>10</sup> States parties that did not supply follow-up information prior to the submission of their next periodic report are not included in the list.

<sup>11</sup> Communications sent by the Rapporteur for follow-up to concluding observations are available from the web page for follow-up.

37. Between 16 May 2020 and 28 April 2021, follow-up reports were received from the following States parties, in the order of receipt: Iraq ([CAT/C/IRQ/FCO/1](#), 4 June 2020); Mexico ([CAT/C/MEX/FCO/7](#), 23 June 2020); Paraguay ([CAT/C/PRY/FCO/7](#), 29 June 2020); Cameroon ([CAT/C/CMR/FCO/5](#), 14 July 2020); Germany ([CAT/C/DEU/FCO/6](#), 20 July 2020); Greece ([CAT/C/GRC/FCO/7](#), 19 August 2020); United Kingdom ([CAT/C/GBR/FCO/6](#), 21 August 2020); Viet Nam ([CAT/C/VNM/FCO/1](#), 11 September 2020); Democratic Republic of the Congo ([CAT/C/COD/FCO/2](#), 18 September 2020); Poland ([CAT/C/POL/FCO/7](#), 19 November 2020); Portugal ([CAT/C/PRT/FCO/7](#), 25 November 2020); Belarus ([CAT/C/BLR/FCO/5](#), 30 November 2020); Latvia ([CAT/C/LVA/FCO/6](#), 3 December 2020); Cyprus ([CAT/C/CYP/FCO/5](#), 4 December 2020); Uzbekistan ([CAT/C/UZB/FCO/5](#), 24 December 2020); and South Africa ([CAT/C/ZAF/FCO/2](#), 20 April 2021).

38. The Rapporteur expressed appreciation for the information provided by those States parties regarding measures taken to implement their obligations under the Convention. He assessed the responses received as to whether all the issues identified by the Committee for follow-up had been addressed by the State party and whether the information provided responded to the Committee's concerns and recommendations. The Rapporteur communicated with States parties under the follow-up procedure once their report was received and assessed. Such communications reflected the analysis carried out by the Rapporteur and specified the pending issues. During the period under review, such communications were sent in letters to Iraq (23 July 2020), Mauritania (30 July 2020), Guatemala (5 August 2020), Canada (12 August 2020), Germany (4 September 2020), the United Kingdom (4 September 2020), Mexico (24 September 2020), Viet Nam (29 September 2020), Greece (15 October 2020), the Democratic Republic of the Congo (4 November 2020), Poland (1 March 2021), Portugal (1 March 2021), Cyprus (29 March 2021), Latvia (29 March 2021), Belarus (6 April 2021) and Uzbekistan (12 April 2021).<sup>12</sup>

39. The Rapporteur also expressed appreciation for the information submitted by national human rights institutions, human rights NGOs and civil society groups under the follow-up procedure. As at 28 April 2021, the Committee had received follow-up reports from such sources in relation to the reports on the following, in the order of receipt: United Kingdom (four submissions from different sources), Mexico, Bangladesh, Belarus (two submissions from different sources) and the Russian Federation.<sup>13</sup>

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

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

41. 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 inquiries had been conducted and the results of such inquiries had been published to take measures to implement the Committee's recommendations.

## **VI. Consideration of complaints under article 22 of the Convention**

### **A. Introduction**

42. 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-nine States parties

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<sup>12</sup> Communications sent by the Rapporteur for follow-up to concluding observations are available from the web page for follow-up.

<sup>13</sup> Those submissions are also available from the web page for follow-up.

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 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.

43. The post of Rapporteur on new complaints and interim measures, established in accordance with rule 104, paragraph 1, of the Committee's rules of procedure, is currently held by Mr. Rodríguez-Pinzón.

44. 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.

45. 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

46. Complainants frequently request preventive protection. 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 to take such interim measures as the Committee considers necessary to avoid irreparable damage to an individual or individuals. 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 57 complaints that were registered, of which 42 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

47. As at 28 April 2021, the Committee had registered, since 1989, 1,068 complaints concerning 42 States parties.<sup>14</sup> Of those, 334 complaints had been discontinued and 117 had been declared inadmissible. The Committee had adopted final decisions on the merits in 398 complaints and found violations of the Convention in 158 of them. Some 219 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,<sup>15</sup> on the OHCHR website<sup>16</sup> and in the Official Document System of the United Nations.<sup>17</sup>

48. Between 27 November and 30 December 2020, the Committee held an online inter-sessional meeting, during which it examined 25 complaints. The Committee found four communications, *F.K. v. Denmark* ([CAT/C/70/D/743/2016](#)), *J.D. v. Switzerland* ([CAT/C/70/D/819/2017](#)), *H.T. v. Switzerland* ([CAT/C/70/D/888/2018](#)) and *Z.S. v. Georgia* ([CAT/C/70/D/915/2019](#)), inadmissible. It discontinued the consideration of 20 communications: *V.A. v. Kazakhstan* ([CAT/C/70/D/638/2014](#)), *S.V. v. Russian Federation* ([CAT/C/70/D/660/2015](#)), *J.S. v. Canada* ([CAT/C/70/D/684/2015](#)), *G.S. v. Canada* ([CAT/C/70/D/705/2015](#)), *A.S. v. Canada* ([CAT/C/70/D/728/2016](#)), *S.V. v. Australia* ([CAT/C/70/D/740/2016](#)), *J.L. v. Canada* ([CAT/C/70/D/741/2016](#)), *C.C. v. Switzerland* ([CAT/C/70/D/808/2017](#)), *B.S. v. Canada* ([CAT/C/70/D/838/2017](#)), *T.Ç. and M.E.Ç. v. Georgia* ([CAT/C/70/D/861/2018](#)), *R.K.K. v. Switzerland* ([CAT/C/70/D/870/2018](#)), *B.K. et al.*

<sup>14</sup> The complaints examined by the Committee in relation to the Federal Republic of Yugoslavia are attributed to Serbia for statistical purposes.

<sup>15</sup> See <http://juris.ohchr.org/>.

<sup>16</sup> See [www.ohchr.org/](http://www.ohchr.org/).

<sup>17</sup> See <http://documents.un.org/prod/ods.nsf/home.xsp>.

*v. Canada* ([CAT/C/70/D/873/2018](#)), *F.S. v. Switzerland* ([CAT/C/70/D/876/2018](#)), *H.S.D. v. Canada* ([CAT/C/70/D/877/2018](#)), *S.S. v. Australia* ([CAT/C/70/D/895/2018](#)), *R.T. v. Australia* ([CAT/C/70/D/932/2019](#)), *B.T. v. Serbia* ([CAT/C/70/D/936/2019](#)), *A.R. v. Sweden* ([CAT/C/70/D/950/2019](#)), *M.B. v. Montenegro* ([CAT/C/70/D/970/2019](#)) and *B.T.M. v. Switzerland* ([CAT/C/70/D/1015/2020](#)). The Committee also decided to postpone the examination of one complaint, *R.G. v. Russian Federation* (No. 902/2018), to the next in situ session.

49. At its seventieth session, the Committee discontinued the consideration of 14 communications: *D.L. v. Sweden* ([CAT/C/70/D/785/2016](#)), *H.S.M. v. Canada* ([CAT/C/70/D/809/2017](#)), *H.B. v. Switzerland* ([CAT/C/70/D/833/2017](#)), *M v. Sweden* ([CAT/C/70/D/837/2017](#)), *M.P. v. Bulgaria* ([CAT/C/70/D/847/2017](#)), *E.D. v. Switzerland* ([CAT/C/70/D/867/2018](#)), *A.H. v. Sweden* ([CAT/C/70/D/919/2019](#)), *M.S.K. v. Switzerland* ([CAT/C/70/D/925/2019](#)), *R.D. v. Sweden* ([CAT/C/70/D/940/2019](#)), *O.E. v. Switzerland* ([CAT/C/70/D/959/2019](#)), *S.N. v. Australia* ([CAT/C/70/D/961/2019](#)), *J.A. v. Sweden* ([CAT/C/70/D/966/2019](#)), *S.I.A.M. v. Switzerland* ([CAT/C/70/D/976/2020](#)) and *H.H. v. Sweden* ([CAT/C/70/D/990/2020](#)).

#### **D. Follow-up activities**

50. At its twenty-eighth session, in May 2002, the Committee established the function of Rapporteur for follow-up on decisions adopted 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.

51. During the reporting period, the Committee did not review submissions related to its decisions that are currently monitored through the follow-up procedure. As at 28 April 2021, the Committee had closed the follow-up dialogue with a note of satisfactory or partially satisfactory resolution with regard to 70 communications, out of a total of 158 communications where it had found violations of different provisions of the Convention.

### **VII. Meetings of the Committee in 2021**

52. Further to General Assembly resolution 68/268, the Committee is to hold two further regular sessions in 2021: the seventy-first (12–30 July 2021) and the seventy-second (8 November–3 December 2021).

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

53. 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, the Committee considered and adopted the report on the activities it carried out during the period under review.

## Annex

### Membership, officers and mandates

<i>Name of member</i>	<i>Country of nationality</i>	<i>Term expires on 31 December</i>
Essadia Belmir (Vice-Chair)	Morocco	2021
Claude Heller (Vice-Chair, to 18 March 2021) (Acting Chair, as from 18 March 2021) (Rapporteur for follow-up on decisions adopted under article 22)	Mexico	2023
Erdoğan İşcan	Turkey	2023
Liu Huawen	China	2021
Jens Modvig <sup>a</sup> (Chair, to 18 March 2021)	Denmark	2021
Ilvija Pūce	Latvia	2023
Ana Racu (Rapporteur on reprisals)	Republic of Moldova	2023
Diego Rodríguez-Pinzón (Acting Rapporteur) (Acting Rapporteur on new complaints and interim measures)	Colombia	2021
Sébastien Touzé (Acting Vice-Chair)	France	2023
Bakhtiyor Tuzmukhamedov (Acting Rapporteur on follow-up under article 19)	Russian Federation	2021

<sup>a</sup> Mr. Modvig resigned from the Committee on 18 March 2021 owing to new professional responsibilities.