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COMMITTEE AGAINST TORTURE

Twentieth session

SUMMARY RECORD OF THE 320th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 5 May 1998, at 10 a.m.

Chairman: Mr. BURNS

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GE.98-15978 (E)

The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION (agenda item 6)

Second periodic report of France (CAT/C/17/Add.18)

1. At the invitation of the Chairman, Mr. Dobelle, Ms. de Calan, Ms. Giudicelli, Mr. Lageze, Mr. Ingall-Montagnier and Mr. Heitz (France) took places at the Committee table.

2. The CHAIRMAN invited the delegation of France to introduce the second periodic report of France (CAT/C/17/Add.18).

3. Mr. DOBELLE (France) began by stressing the importance for France of the submission of its second periodic report, which took place against the background of the observance of the one-hundred-and-fiftieth anniversary of the abolition of slavery by France and the fiftieth anniversary of the Universal Declaration of Human Rights. Since the submission of the first periodic report some 10 years earlier, French law had undergone major changes to ensure better prevention, but also more severe punishment, of torture and other cruel, inhuman or degrading treatment or punishment committed by law enforcement personnel; many laws had been enacted, as well as a new Criminal Code and a new Code of Criminal Procedure. It was the very magnitude of the reforms which partly accounted for the delay in submitting the report, as those responsible for drafting it had wished it to be up to date.

4. With regard to prevention, France had continued to train law enforcement personnel and all persons acting in an official capacity, in accordance with article 10 of the Convention. Part of that process was the bill to establish a Supreme Council on Ethics, which would shortly be submitted to Parliament. France would be the first European country to set up an authority responsible for ensuring observance of codes of behaviour by officers of the national police, gendarmerie, customs and municipal police, as well as private bodies performing security duties, such as specialized security firms. It would be an independent administrative authority composed of six members appointed for six years, and it could be approached through a member of Parliament by any victim or witness of an act of misconduct. Although it would not be empowered to intervene in proceedings coming under the judicial or administrative authorities, the Council would be required to inform them of any such act which might constitute a criminal offence or disciplinary misbehaviour, and it could make recommendations and proposals for amending regulations; it would submit an annual report on its activities to Parliament.

5. Also, a practical guide to conduct intended for police personnel of all kinds was being prepared and should be completed by the summer of 1998. It was a practical instrument for dealing with the concrete situations with which police officers were confronted on a daily basis and it reflected a firm political will to ensure that conduct was rigorously correct. Parliament was now considering a municipal police bill, which called for the preparation of a code of conduct to be based on the Code of Police Conduct.

6. A major training effort had also been undertaken with regard to prisons. In late 1996 the Ministry of Justice had distributed a prison officers' handbook to all prison officers in order to encourage awareness of and respect for the fundamental rights of prisoners. It had also reformed the disciplinary system, a step that had been accompanied by the circulation of teaching materials presenting the major outlines of the reform. Moreover in March 1998, after 12 years of inactivity, the Supreme Council on Prison Administration had met and on that occasion the prison administration had been reminded of its obligation to establish rules of conduct.

7. Alongside those training processes, particular attention had been paid to the conditions under which custody, and detention in general, took place, in conformity with article 11 of the Convention. French law had evolved in that regard, especially as far as the presence of a lawyer and examination by a doctor during custody were concerned. The Government planned to invite Parliament to approve the principle of access to a lawyer as of the first hour of custody, as well as a provision on further intervention by a lawyer at the beginning of any extension of custody. However, those changes were not envisioned to apply to acts of terrorism, drug trafficking offences or acts involving organized crime. During custody, for practical reasons it was difficult to ensure that a medical examination was conducted by the doctor of the detainee's choice, but access to a doctor was safeguarded, and in addition, or in case of an objection, another medical opinion could be requested.

8. Furthermore, in order to provide detainees with systematic information about their rights, the Government had undertaken to make printed materials available in the most common languages, in both police stations and gendarmeries. An instruction from the Director-General of the National Police dated July 1997 had reminded the staff of all services concerned of their obligation to make those documents available. Should a detainee be unable to read any of the versions of the text, recourse could be had to an interpreter.

9. The Act of Parliament of 30 December 1996 on terrorism-related pre-trial detention and night searches strengthened safeguards for persons under investigation, in particular by limiting the use of pre-trial detention, which could not exceed a “reasonable” period based on the gravity of the alleged acts; the judge must end detention once it exceeded a reasonable period. In criminal cases, any extension of detention beyond one year now required an order every six months, and not every year as previously. The maximum period of detention for ordinary offences had been reduced from two years to one year for a person liable to a penalty of less than five years who had already been sentenced, and the detention of a person liable to a penalty of more than 5 years but less than 10 years had been reduced to 2 years.

10. With regard to imprisonment, a circular had just been prepared on the use of force and weapons in detention centres; its main purpose was to specify those cases in which force could be used. As part of the moves to combat prison overcrowding, an Act of Parliament of 19 December 1997 made it possible to place a convict under electronic surveillance and stipulated the conditions under which courts could opt for that measure and the constraints it imposed on the convict, as well as the penalties incurred for infringement of the conditions of surveillance. Another important reform was that of the

disciplinary regime for prisoners, the objective of which was to bring the disciplinary rules into line with the requirements of the jurisprudence of the European Court of Human Rights and the recommendation of the Council of Europe on prison regulations. Henceforth, disciplinary action would rest on a clear and specific regulatory basis, with a more suitable scale of penalties and with access to administrative or contentious remedies.

11. Concerning suicides in prison, the figures admittedly showed an increase (110 in 1995, 138 in 1996 and 125 in 1997), but the increase had to be viewed in the light of the increase in suicides in French society in general. Every suicide automatically gave rise to a police inquiry, and if there were reasons to think that foul play or negligence had been involved, to an administrative inquiry as well. Since early 1997, a prison suicide prevention programme had been implemented jointly by the Ministries of Justice and Health.

12. With regard to specific safeguards for aliens, in the light of article 3 of the Convention the Act of Parliament on entry and residence of aliens in France and the right to asylum, enacted on 8 April 1998, strengthened legal protection for aliens who risked torture if they returned to their countries of origin. The Act would enter into force as soon as the Constitutional Council had pronounced on its conformity with the Constitution. Article 36 of the Act provided for territorial asylum to be granted to an alien whose life or liberty was threatened in his own country and who would be exposed to ill-treatment there, thus complementing the existing legislation, which merely prohibited the removal of aliens exposed to risk of ill-treatment. Article 5 of the new Act also extended the list of aliens automatically entitled to a temporary residence card to those “whose state of health requires them to be placed under medical care”, upon certain conditions. Procedurally, moreover, the new Act strengthened the legal safeguards for aliens who were to be escorted to the border by extending the time-limit for appealing escort orders. Appeals were suspensive and allowed the alien to prove, if such was the case, that his or her personal safety was in jeopardy.

13. With regard to article 11 of the Convention, there had been three developments to existing provisions. As to keeping people in holding areas, a current amendment to the Decree of 2 May 1995 aimed at relaxing conditions of access to those areas by representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR) and humanitarian organizations. Also, the regime of administrative detention of aliens had been amended in order to strengthen the legal safeguards offered them. The right to a lawyer, an interpreter and a doctor was safeguarded, as were the alien's means of asserting his or her rights. Judicial confinement, a procedure provided for under article 132-70-1 of the Criminal Code but very seldom used, had been abolished.

14. With respect to means of punishment of acts of torture, such acts had been classed as a distinct crime by article 222-1 of the Criminal Code, which had entered into force on 1 March 1994, whereas under the previous Criminal Code they had constituted only an aggravating circumstance for certain offences. Another important development was that, whereas in the past, violations of the integrity of the person had depended directly on the degree of injury, henceforth it was the act itself, regardless of its outcome, which was taken into account. Also, in criminal proceedings, the rights of victims

were reinforced by allowing certain associations to bring a criminal indemnification action. Similarly, during custody, if a lawyer learned that the person in custody had been subjected to unlawful violence, he could bring the matter before a judicial authority.

15. With regard to prosecutions and convictions, practices capable of being classed as ill-treatment had been few in number. In the case of the national police, in 1996 there had been 269 cases of complaint, 154 of which had been either closed or dismissed. One hundred and three complaints were still being investigated and 12 had led to a criminal conviction, in some instances complemented by more or less severe disciplinary measures. In regard to the gendarmerie, six cases of complaint had been filed in 1996, three of which had been either closed or dismissed; one had been the subject of a pardon, one gendarme had been exonerated and one case was under investigation. With regard to prison staff, nine cases had been the object of criminal prosecutions since 1 January 1997. Some of those cases were still being investigated; others had led to prison sentences as well as disciplinary measures. In any event, no deaths of prisoners due to the use of firearms by law enforcement personnel or prison staff had been reported.

16. He also wished to inform the Committee of his Government's contribution towards the consideration by international bodies of acts that could be classified as torture. He drew attention to France's active participation in the working group on the draft optional protocol to the Convention against Torture, the purpose of which was to establish a preventive system. France fully supported the idea that a committee should visit all detention centres, as long as the visits were coordinated with those set up by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. Under Protocol No. 11 to the European Convention on Human Rights, which would enter into force on 1 November 1998, any individual, non-governmental organization or group of individuals could apply to the European Court of Human Rights, whereas under the current system that right was contingent upon a periodically renewable declaration of acceptance by the contracting State.

17. France had furthermore continued its action to allow prosecution of acts committed outside its territory (articles 689-1 and 689-2 of the Code of Criminal Procedure). It had supported the establishment of international criminal bodies by the Security Council, namely, the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda. It had also expressed support for the creation of a permanent international criminal court and welcomed the opening for signature on 17 July 1998 of the Convention on the Establishment of an International Criminal Court.

18. He announced that France would make a contribution of 500,000 francs in 1998 to the United Nations Voluntary Fund for Victims of Torture.

19. The French delegation remained at the Committee's disposal to answer any questions that its introduction of the report might have raised.

20. Mr. CAMARA (Country Rapporteur) recalled that the Convention had entered into force in France on 9 November 1987 and that the State party's initial report had been submitted to the Committee in 1989, one year late. That initial delay seemed to have affected the timetable for the submission of the State party's subsequent reports, as the present report should have been submitted in 1992. However, the report was in conformity with the Committee's guidelines and was remarkably clear and specific. He would pay particular attention to the implementation of articles 1-9 of the Convention.

21. As to article 1, French law did not contain any definition of torture within the specific meaning of the Convention; however, a circular from the Ministry of Justice dated 14 May 1993 referred expressly to article 1 of the Convention (paragraph 8 of the report). He asked what the legal force of that circular was and whether the various courts were required to apply it.

22. According to paragraph 2 of the report, the French legal system was monistic, meaning that the Convention had an authority superior to that of laws. However, under article 34 of the Constitution, it was statute law which determined the classification of crimes and other serious offences as well as the penalties applicable to them. Given the principle of strict interpretation of criminal law, did not the fact that the elements constituting the offence of torture were not faithfully reproduced pose a problem in applying the Convention? Had there been any practical applications of articles 222-1 and 222-3 of the new Criminal Code?

23. With regard to the implementation of article 3 of the Convention, and in particular to expulsion and refoulement, it had to be said that, despite the existence of detailed legislation and regulations, the practice of the French authorities with regard to requests for asylum was arousing more and more criticism by human rights organizations. The lack of a suspensive appeal procedure, difficulties in registering requests for asylum, the summary nature of legal proceedings and the practices of the 23rd Correctional Division of the Court of Paris gave the lie to the safeguards available under law. It was therefore legitimate to think that those situations were obstacles to the implementation of article 3 of the Convention. With regard to article 35 quater of Ordinance No. 45-2658 of 2 November 1945 on the conditions of entry and residence of aliens in France, he would like to know whether the statement made in a publication by the Institute of Human Rights was true, to the effect that the judge dealing with an alien placed in administrative detention had only two options: to extend detention for six days, or to authorize restricted residence. Curiously enough, the third possibility, which would consist of releasing the person, was not envisioned by the text. The Committee wished to hear the delegation's comments in that regard.

24. In connection with extradition, French law was in conformity with the Convention. Nonetheless, according to a document published by the International Federation of Action by Christians for the Abolition of Torture (FIACAT), the French authorities had returned three Spanish Basques to Spain in 1996 and 1997 after their trial by the Administrative Court of Paris, which had found their delivery to the Spanish police illegal. What was the delegation's reaction to that assertion?

25. With regard to articles 5 to 7 of the Convention, while it was true that French law authorized prosecution of persons committing torture, article 689 of the Code of Criminal Procedure did not provide for prosecutions to be brought against perpetrators of or accomplices to offences except in the case of acts committed outside French territory. As the Convention was binding, the French authorities should perhaps consider a specific provision calling for the compulsory prosecution of perpetrators of acts of torture who were not French nationals.

26. The CHAIRMAN (Alternate Country Rapporteur), referring to the content of article 10 of the Convention, asked whether education and training on international human rights instruments was an integral part of the training of members of the police, the gendarmerie and the army. He also wished to know whether the Supreme Council on Ethics, which was soon to be created, would replace the National Police Ethics Board mentioned in paragraph 75 of the report. He also asked whether during their studies medical students learned to recognize signs of torture in patients. In relation to the implementation of article 11 of the Convention, he asked what the maximum legal period was for which a person could be kept in custody and whether incommunicado detention was authorized.

27. In its introduction the delegation had referred to the Government's intention to invite Parliament to approve the principle of access to a lawyer and examination by a doctor during custody. Did that mean that such right did not currently exist? Were soldiers and gendarmes authorized to arrest a person in the same capacity as police officers, and if so, could that person be held incommunicado?

28. According to paragraph 113 of the report, the total time an individual could be detained in a holding area could not exceed 20 days. He asked the delegation to explain why, according to information provided by Amnesty International, the period of administrative detention could sometimes reach four years.

29. With regard to committal to a psychiatric service, without their consent, of mentally disturbed individuals (paragraphs 127 to 139 of the report), could they be forced to undergo electric shock therapy, which seemed to be tantamount to cruel treatment under the terms of the Convention?

30. As to article 12 of the Convention, it would be useful to know how France could compile statistics on reported cases of ill-treatment and torture without a legal definition of torture.

31. The provisions referred to in paragraph 157 of the report (article 706-3 of the Code of Criminal Procedure) seemed contrary to articles 13 and 14 of the Convention, since the subsidiary line of recourse was available only to persons of French nationality or nationals of a State member of the European Economic Community.

32. In regard to article 15 of the Convention, he asked for more information about the procedure followed by the courts in deciding on the admissibility or non-admissibility of a statement obtained by force. Moreover, cases of

ill-treatment and torture had been denounced by Amnesty International in a report of April 1998, and he asked the delegation to explain that.

33. Mr. SØRENSEN commended the delegation for the quality of its report and associated himself with the questions raised by the Country Rapporteur and the Alternate Country Rapporteur. There were a few points he himself wished to have clarified. With regard to paragraph 36 of the report, he asked for details on the manner in which people were escorted to the border: who was in charge of escorting the alien, what means of force (such as handcuffs) were used to do so, if necessary, how did matters proceed on arrival at the border, and in particular, to what extent were the authorities of the receiving country advised of the measures taken?

34. The information in paragraph 85 on the right to a medical examination was of great interest. The end of the paragraph specified that the public prosecutor or judicial police officer could officially designate a doctor to examine a person held in custody and that the certificate drawn up as a result of that examination was placed on the file: assuming that the file was not a medical file, he asked whether the certificate was worded in such a way as to avoid divulging confidential information on the person's health and whether a copy of the certificate was given to the person concerned or his or her lawyer.

35. Inspection visits and supervision of detention centres seemed to be conducted satisfactorily. It would be useful to know whether NGOs were authorized to visit prisons, as was the case in the United Kingdom, for instance. Also paragraph 101 of the report stated that the public hospital service was responsible for medical check-ups of detainees; in France, had the medical service encountered recruitment problems, as had been the case in other countries?

36. With regard to compensation for injuries, dealt with in paragraph 157 of the report, such compensation must be “moral, material and medical”. On the latter point, since excellent medical rehabilitation centres for torture victims existed in France, did the authorities provide them with assistance? In conclusion, the General Assembly had decided by consensus to declare 26 June 1998 the International Day in Support of Victims of Torture. Did the French Government plan to observe that event, given that torture victims had a great need for recognition?

37. Mr. ZUPANČIČ said that article 15 of the Convention was absolutely clear about combating torture. Its “exclusionary clause”, which concerned criminal proceedings, was easier to apply when there was a jury trial than when there was no jury. Articles 427 and 428 of the French Code of Criminal Procedure, cited in paragraph 164 of the report, proclaimed the principle of Roman law that it was for the court to form its own opinion of evidence. According to paragraph 165, a statement obtained under torture was obtained unlawfully and could not be accepted by the court; the court therefore knew of the statement, but was it supposed to erase it totally from its mind, or should it simply refrain from mentioning the statement in the grounds of the judgement? He believed that the exclusionary clause was the most effective weapon against torture and he wished to hear the observations of the delegation in that regard.

38. Paragraph 8 of the report stated that French legislation did not contain a definition of torture, as according to paragraph 44, acts of torture were classed as a distinct crime by article 222-1 of the new Criminal Code. The definition of torture in the Convention was extremely elaborate, and the Committee generally advocated its literal incorporation into the domestic law of States, for the sake of greater transparency.

39. The right to see a lawyer after the first 20 hours of custody, mentioned in paragraph 86, was the outcome of a reform of the Code of Criminal Procedure, which, as a deputy himself had said when speaking on that reform, was "tantamount to maintaining the present system", by merely reducing the length of custody by four hours. Yet it was well known that it was precisely during the period between arrest and the first meeting with a lawyer that the risk of police brutality was the greatest, and that the best way to reduce that risk was to shorten the period during which the person had no contact with the outside world. As to the criteria for placing someone in custody, paragraph 80 of the report stated that, in accordance with article 77 of the Code of Criminal Procedure, arrest was possible if there was reason to believe that the person had committed or attempted to commit an offence. The various systems of criminal procedure applied different probability criteria in determining whether arrest was possible or not; in Anglo-Saxon law, it was the doctrine of "probable cause" which authorized the State to violate the personal integrity of a suspect as soon as it had been demonstrated that he or she had, at least probably, compromised the interest of the State. He wished to know what the phrase "reason to believe" actually meant.

40. Mr. YAKOVLEV said he had read with great interest the very illuminating report submitted by France. He wished for additional information on the respective competences of the police and the gendarmerie, a military body which also held law enforcement powers. Were there directives setting out the responsibilities of each of those bodies and providing for cases where they might overlap? Were the rights of individuals protected in the same manner whether it was the gendarmerie or the police which was involved? What criteria were used for determining the body under whose competence a particular case came, what were the limits of that competence, did borderline cases occur and how were they dealt with, and how was the use of firearms by the gendarmerie regulated?

41. The CHAIRMAN thanked the delegation and invited it to reply to the questions at the next meeting.

42. The delegation of France withdrew.

The meeting was suspended at 12 p.m. and resumed at 12.20 p.m.

Additional information submitted by the Government of Mexico

43. Mr. GONZÁLEZ POBLETE (Country Rapporteur) said that the additional information transmitted to the Committee by the Mexican Government showed that the particulars about complaints of torture emanated from the country's National Human Rights Commission, as well as from the human rights commissions of each state of the Federation; it was therefore unclear how many complaints had been brought in the country as a whole. The Committee had noted that very

many complaints of torture had been reported, that far fewer had been considered admissible by the Commission and that very few detentions and even fewer convictions had been pronounced. The situation appeared less abnormal in the light of the recent information. In any event, an analysis of the new information was not immediately necessary. The Committee should limit itself to acknowledging receipt of the information, commending Mexico for the promptness with which it had provided the information, and keeping the information available for purposes of comparison when it considered the State party's third periodic report.

44. Mr. SØRENSEN (Alternate Country Rapporteur) said he agreed with Mr. González Poblete's remarks and greatly appreciated the spirit of cooperation shown by the Mexican Government.

45. The CHAIRMAN said the fact that the information had been sent was very welcome. He proposed that he should address a letter to the Government to thank it for having responded so diligently to the questions put to it.

46. It was so decided.

ORGANIZATIONAL AND OTHER MATTERS

47. The CHAIRMAN said that Mr. Zupan□i□ was willing to be Alternate Country Rapporteur for Peru, as Mr. Camara had already been designated Rapporteur. If he heard no objection, he would take it the Committee agreed.

48. It was so decided.

Report on the ninth meeting of chairpersons of human rights treaty bodies

49. Mr. SØRENSEN reported on the ninth meeting of persons chairing human rights treaty bodies, held at Geneva from 25 to 27 February 1998, in which he had participated as Vice-Chairman of the Committee against Torture. An unedited, preliminary version of the report on that meeting had been circulated to the members of the Committee. The Chairperson-Rapporteur of the meeting had been Philip Alston, Chairperson of the Committee on Economic, Social and Cultural Rights. The chairpersons had held public and private meetings. The public meetings had been attended by representatives of NGOs and international organizations. Mrs. Mary Robinson, United Nations High Commissioner for Human Rights, had taken part in one of the private meetings. In addition, the chairpersons had held one of their meetings with the representatives of States parties, which had been extremely useful.

50. Various subjects related to the functioning of the treaty bodies had been discussed. With regard to the question of universal ratification, it was the Convention against Torture which had the fewest ratifications of all the treaties (104 States parties, as opposed to 192 for the Convention on the Rights of the Child, which had the highest number). States seemed disinclined to ratify the Convention against Torture, doubtless because they misunderstood it and feared losing their freedom of action; a promotional effort was therefore needed. On the matter of reservations to the treaties, the

chairpersons had had a very detailed high-level discussion. On the question of the periodicity of reporting, the general view was that the committees should adopt a more flexible approach to the matter.

51. The issue of staffing needs had been discussed at length. The committees which met in Geneva (all of the treaty bodies except one) were experiencing major difficulties in functioning. The number of staff assigned to their offices had not changed greatly, whereas the number of reports and communications had risen considerably. Furthermore, the chairpersons had considered that responsibility for each committee should be assigned to a single person, and that communications should be dealt with by staff members who were highly qualified as well as competent in the field concerned. In view of the limited resources allocated to human rights (1.8 per cent of the United Nations budget), the chairpersons had envisaged the preparation of a Plan of Action for raising additional funding. They had reflected at length on the problem of States parties that did not submit reports. Currently, some of the committees considered the situation in those countries in the absence of a report, whereas others refused to do so, arguing the lack of a legal basis. In response to that argument, it had been stressed that many of the procedures established by the committees had not been explicitly provided for in the instruments; in addition, when a country did not submit any report at all, to contend that the committee did not have the right to act was the same as recognizing that the State party was empowered unilaterally to question the purposes and objectives of the treaty. The chairpersons had thus felt that when a State did not submit a report the committees should be prepared to study the situation in that State on the basis of information provided by the State to other international organizations, and to take into account any other pertinent information. The Committee against Torture should discuss its position on that matter further.

52. In relation to small countries, the chairpersons had noted that 29 States with less than 1 million inhabitants had not ratified either of the two Covenants and that those that had ratified conventions had often been very late in submitting their reports. The chairpersons had asked the Secretariat to work on the problem of small countries by exploring criteria for defining those countries as well as means to help them. With regard to periodic reports, they had stressed the advantage of better focused reports which concentrated on the follow-up of observations and recommendations made after consideration of the previous report and on new measures adopted since. Perhaps the Committee against Torture should review its guidelines for the preparation of periodic reports. The chairpersons had also reaffirmed the importance of the quality of concluding observations. They had recommended that the Secretariat should prepare a structured analysis for each committee of the issues raised during the dialogue with the delegation and the responses provided or not provided. Currently, in the Committee against Torture it was the rapporteurs and alternate rapporteurs who prepared the draft concluding observations with the help of the Secretariat, and not the reverse. The Committee should clearly have more staff members in its Secretariat.

53. As far as general comments were concerned, some of the committees had begun to draft joint general comments; that practice had been encouraged where pertinent. The chairpersons had stressed that human rights training was not only incumbent upon national bodies but should also be provided to

United Nations personnel in the field. With regard to the independence of experts, the chairpersons had welcomed the guidelines adopted by the Human Rights Committee for its members. The approach taken in those guidelines was similar to that of the Committee against Torture. On the subject of honoraria, the chairpersons had once again regretted the disparity between the committees. In relation to the fiftieth anniversary of the Universal Declaration of Human Rights, they had agreed to prepare a statement on the present and future role of the human rights treaty bodies for circulation at the start of the fifty-fourth session of the Commission on Human Rights. The ninth meeting of persons chairing human rights treaty bodies had been extremely fruitful and had made it possible to address the major questions faced by all the committees.

54. The CHAIRMAN thanked Mr. Sørensen for his report and invited the members of the Committee who wished to do so to ask questions or make observations.

55. Mr. CAMARA asked what action was taken to follow up the written report on the ninth meeting, a copy of which had been circulated to the members of the Committee.

56. Mr. SØRENSEN said that the document, which reflected the opinions and wishes of the chairpersons of the treaty bodies, had been transmitted to the High Commissioner for Human Rights and her Office. In addition, Mr. Alston, Chairman-Rapporteur, had made a statement on the ninth meeting to the Commission on Human Rights. The report which had been presented served to inform the members of the various committees of the positions and practices of the other committees and to encourage them to refine and enhance their own procedures.

57. Mr. GONZÁLEZ POBLETE welcomed the fact that the Committee was taking the time to consider the extremely interesting report of the ninth meeting of persons chairing the treaty bodies. Some suggestions were worthy of further consideration, such as the idea of one or another of the committees making use of the reports that a State party had sent to other committees. The Committee against Torture could consider utilizing the reports submitted by States to the Human Rights Committee, as the International Covenant on Civil and Political Rights established a general prohibition of torture.

58. Mr. EL MASRY said the Committee should discuss in detail several of the points raised in the report on the ninth meeting at a later stage in its present session, when members of the Committee had had the time to read the report carefully.

59. The CHAIRMAN said that the Committee would continue its consideration of the report and its discussion on the problems raised by the report and consequently its own practices at a forthcoming meeting, possibly during the third week of the session.

The meeting rose at 1.05 p.m.