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Forty-fourth session  
Item 113 of the provisional agenda\*

**TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT  
OR PUNISHMENT**

**Status of the Convention against Torture and Other Cruel,  
Inhuman or Degrading Treatment or Punishment**

**Report of the Secretary-General**

1. The General Assembly, by its resolution 39/46 of 10 December 1984, adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and called upon all Governments to consider signing and ratifying the Convention as a matter of priority.
2. The Convention was opened for signature in New York on 4 February 1985. In accordance with article 27 thereof, the Convention entered into force on 26 June 1987, on the thirtieth day after the date of the deposit with the Secretary-General of the twentieth instrument of ratification or accession.
3. By its resolution 43/132 of 8 December 1988, the General Assembly welcomed the first report of the Committee against Torture; 1/ noted with appreciation the report of the Secretary-General on the status of the Convention (A/43/519); recognized the importance of appropriate administrative and financial arrangements to enable the Committee to carry out in an effective and efficient manner the functions entrusted to it under the Convention, and to ensure the long-term viability of the Committee as an essential mechanism for overseeing the effective implementation of the provisions of the Convention; again requested all States to become parties to the Convention as a matter of priority; invited once again all

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\* A/44/150.

States, upon ratification of or accession to the Convention, or subsequently, to consider the possibility of making the declaration provided for in articles 21 and 22 of the Convention; requested the Secretary-General to submit to the Commission on Human Rights at its forty-fifth session and to the Assembly at its forty-fourth session a report on the status of the Convention; and decided to consider the report of the Secretary-General at its forty-fourth session under the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

4. By its resolution 1989/29 of 6 March 1989, the Commission on Human Rights stressed the importance of strict adherence by States parties to the obligations under the Convention regarding the financing of the Committee, thus enabling it to carry out in an effective and efficient manner all the functions entrusted to it under the Convention, and appealed to all States parties not to take any measures that might impair the financing of all the functions of the Committee under the Convention, so as to ensure the long-term viability of the Committee as an essential mechanism for overseeing the effective implementation of the provisions of the Convention; reiterated its request to all States to become parties to the Convention as a matter of priority; invited all States ratifying or acceding to the Convention and those States parties which have not yet done so to consider the possibility of making the declaration provided for in articles 21 and 22 of the Convention; and requested the Secretary-General to continue submitting to the General Assembly and to the Commission annual reports on the status of the Convention.

5. As at 1 August 1989, the Convention had been ratified or acceded to by 43 States. In addition, 28 States had signed the Convention. The list of States that have signed, ratified or acceded to the Convention, as well as the dates of their signature, ratification or accession, is contained in the annex to the present report.

6. As at the same date, 17 of the States parties to the Convention, namely, Argentina, Austria, Denmark, Ecuador, France, Greece, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, Togo, Tunisia, Turkey and Uruguay, had made the declarations provided for in articles 21 and 22 of the Convention. In addition, one State party, namely, the United Kingdom of Great Britain and Northern Ireland, had made the declaration provided for in article 21 only, thus bringing the total of declarations under that article to 18. Under article 21, a State party to the Convention may declare at any time that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Convention. Under article 22, a State party to the Convention may declare at any time that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention.

7. The provisions of articles 21 and 22 entered into force on 26 June 1987 in accordance with paragraph 2 of article 21 and paragraph 8 of article 22.

8. The Committee against Torture held its second session at the United Nations Office at Geneva from 17 to 28 April 1989. In accordance with article 24 of the Convention, the Committee has submitted its annual report, 2/ which covers the activities of the Committee at its second session, to the States parties and to the General Assembly at its forty-fourth session.

Notes

1/ Official Records of the General Assembly, Forty-third Session, Supplement No. 46 (A/43/46).

2/ Ibid., Forty-fourth Session, Supplement No. 46 (A/44/46).

ANNEX

List of States which have signed, ratified or acceded to  
the Convention against Torture and Other Cruel, Inhuman  
or Degrading Treatment or Punishment

<u>State</u>	<u>Date of Signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Afghanistan	4 February 1985	1 April 1987
Algeria	26 November 1985	
Argentinian a/	4 February 1985	24 September 1986
Australia	10 December 1985	
Austria a/	14 March 1985	29 July 1987
Belgium	4 February 1985	
Belize		17 March 1986 b/
Bolivia	4 February 1985	
Brazil	23 September 1985	
Bulgaria	10 June 1986	16 December 1986
Byelorussian Soviet Socialist Republic	19 December 1985	13 March 1987
Cameroon		19 December 1986 b/
Canada	23 August 1985	24 June 1987
Chile	23 September 1987	30 September 1988
China	12 December 1986	4 October 1988
Colombia	10 April 1985	8 December 1987
Costa Rica	4 February 1985	
Cuba	27 January 1986	
Cyprus	9 October 1985	
Czechoslovakia	8 September 1986	7 July 1988
Denmark a/	4 February 1985	27 May 1987
Dominican Republic	4 February 1985	
Ecuador a/	4 February 1985	30 March 1988
Egypt		25 June 1986 b/
Finland	4 February 1985	
France a/	4 February 1985	18 February 1986

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Date of receipt of the  
instrument of ratification  
or accession

<u>State</u>	<u>Date of Signature</u>	
Gabon	21 January 1986	
Gambia	23 October 1985	
German Democratic Republic	7 April 1986	9 September 1987
Germany, Federal Republic of	13 October 1986	
Greece a/	4 February 1985	6 October 1988
Guinea	30 May 1986	
Guyana	25 January 1988	19 May 1988
Hungary	28 November 1986	15 April 1987
Iceland	4 February 1985	
Indonesia	23 October 1985	
Israel	22 October 1986	
Italy	4 February 1985	12 January 1989
Libyan Arab Jamahiriya		16 May 1989 b/
Liechtenstein	27 June 1985	
Luxembourg a/	22 February 1985	29 September 1987
Mexico	18 March 1985	23 January 1986
Morocco	8 January 1986	
Netherlands a/	4 February 1985	21 December 1988
New Zealand	14 January 1986	
Nicaragua	15 April 1985	
Nigeria	28 July 1988	
Norway a/	4 February 1985	9 July 1986
Panama	22 February 1985	24 August 1987
Peru	29 May 1985	7 July 1988
Philippines		18 June 1986 b/
Poland	13 January 1986	26 July 1989
Portugal a/	4 February 1985	9 February 1989
Senegal	4 February 1985	21 August 1986
Sierra Leone	18 March 1985	
Spain a/	4 February 1985	21 October 1987

<u>State</u>	<u>Date of Signature</u>	<u>Date of receipt of the instrument of ratification or accession</u>
Sudan	4 June 1986	
Sweden <u>a/</u>	4 February 1985	8 January 1986
Switzerland <u>a/</u>	4 February 1985	2 December 1986
Togo <u>a/</u>	25 March 1987	18 November 1987
Tunisia <u>a/</u>	26 August 1987	23 September 1988
Turkey <u>a/</u>	25 January 1988	2 August 1988
Uganda		3 November 1986 <u>b/</u>
Ukrainian Soviet Socialist Republic	27 February 1986	24 February 1987
Union of Soviet Socialist Republics	10 December 1985	3 March 1987
United Kingdom of Great Britain and Northern Ireland <u>c/</u>	15 March 1985	8 December 1988
United States of America	18 April 1988	
Uruguay <u>a/</u>	4 February 1985	24 October 1986
Venezuela	15 February 1985	
Yugoslavia	18 April 1989	

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- a/ Made the declarations under articles 21 and 22 of the Convention.
- b/ Accession.
- c/ Made the declaration under article 21 of the Convention.