



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

Distr.: General  
10 June 2013  
English  
Original: French

---

**Committee against Torture**  
**Fiftieth session**

**Summary record of the first part (public)\* of the 1134th meeting**

Held at the Palais Wilson, Geneva, on Monday, 6 May 2013, at 10 a.m.

*Chairperson:* Mr. Grossman

**Contents**

Opening of the session

Statement by the United Nations High Commissioner for Human Rights

Adoption of the agenda

---

\* The summary record of the second part (closed) of the meeting appears as document CAT/C/SR.1134/Add.1.

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

*The meeting was called to order at 10.05 a.m.*

**Opening of the session**

1. **The Chairperson** declared open the fiftieth session of the Committee against Torture.

**Statement by the United Nations High Commissioner for Human Rights**

2. **Ms. Pillay** (United Nations High Commissioner for Human Rights) congratulated the Committee for its commendable achievements over the past 25 years, which were particularly noteworthy given that the Committee had only 10 members. Due to other commitments, she was unfortunately unable to attend the celebration of the twenty-fifth anniversary of the Committee, but hoped that it would provide an opportunity for fruitful discussions.

3. Since the publication of the report of the High Commissioner on the treaty body strengthening process (A/66/860), some of the recommendations contained therein, particularly those relating to independence and impartiality of members of the treaty bodies and the simplified reporting procedure, had been implemented. The intergovernmental process initiated by the General Assembly to prepare the decisions that would affect the future of the system had given rise to consultations in New York and Geneva that should be completed by the end of the month. She welcomed the participation of members of the treaty bodies in the process and highlighted the dedication of those who had participated in the consultations at their own expense. She expressed particular thanks to Mr. Grossman, Mr. Bruni and Ms. Gaer for their invaluable contributions.

4. Summarizing some of the topics under discussion in the context of the intergovernmental process, she said that many States welcomed her proposal for a comprehensive reporting calendar in principle, while some expressed doubts as to its feasibility in view of the financial difficulties currently faced by the United Nations. A proposal for a “nimble calendar” had recently been submitted by Egypt on behalf of the Africa Group and was being examined. States were also considering the possibility of extending the reporting cycle from five years to seven years, which would reduce the costs required to implement the comprehensive calendar.

5. The financial constraints affecting the entire United Nations system were of course central to the discussions on resources. Her report and the contributions of the treaty bodies had reminded States that the treaty bodies had always been significantly underresourced. At the request of the co-facilitators of the intergovernmental process, her Office and Conference Services had carried out costing estimates of the current system and of the resources required to reduce the backlog in the consideration of reports and had prepared a document identifying possible cost-saving measures. The resulting documents should inform the decisions of the General Assembly. The co-facilitators had emphasized that any savings made should be reinvested into the treaty body system and capacity-building, which was encouraging. The treaty body system had doubled in size in recent years. Reducing the resources allocated to it or even maintaining current funding levels would therefore not help to strengthen the system. Only additional resources would eliminate the backlog in the consideration of reports and address current structural challenges.

6. With regard to the independence of members of the treaty bodies, she said that the Russian Federation, on behalf of a cross-regional group of countries, had recently submitted a draft Code of Conduct providing for the establishment of an Ethics Council, which would comprise representatives of States parties to the various international human rights treaties and treaty body members, and would be competent to receive complaints of breaches of the Code. She noted that six treaty bodies had already adopted the Guidelines on independence

and impartiality of members of the human rights treaty bodies (Addis Ababa guidelines, A/67/222) and encouraged the Committee against Torture to continue discussing the Guidelines and to amend its rules of procedure accordingly, as it had indicated in its statement of November 2012 (CAT/C/49/3).

7. In the context of the intergovernmental process, several States, mainly in Africa and the Caribbean Community (CARICOM) region, had requested that further efforts should be made to build the necessary capacity for drafting reports. She recognized that there was a genuine need in that area but stressed that the additional resources required should be provided in addition to the resources already devoted to the treaty body system. She reaffirmed that the promotion and protection of human rights should not be compromised, irrespective of the financial difficulties currently faced by the international community. The chairpersons of the treaty bodies would meet in New York from 20 to 24 May, which would provide them with an opportunity to share their views with the co-facilitators of the intergovernmental process and other stakeholders. Accordingly, she invited the Committee to articulate clearly its expectations.

8. **The Chairperson** thanked the High Commissioner for highlighting in her report the consequences of the non-implementation by many States of their reporting obligation and of the lack of resources allocated to the treaty bodies. The High Commissioner had referred to capacity-building; while it was an important element, its funding should under no circumstances weaken the treaty body system by depriving it of essential resources. He said that he was astonished at the proposal to establish a mechanism that would enable States to consider complaints regarding the impartiality or independence of the treaty bodies and warned against the dangers posed by such a mechanism to the legitimacy and sustainability of the system. The Committee welcomed all steps that could help to strengthen the independence of the treaty bodies and would continue discussing the Addis Ababa guidelines in that spirit.

9. **Ms. Gaer** said that the intergovernmental process was perceived by some as an exercise that could weaken the treaty body system and pave the way for attempts by States to make political capital. The proposal mentioned by the Chairperson appeared to confirm those fears and called for caution. According to estimates, out of the \$48 million the system cost each year, \$29 million were absorbed by the interpreting and translation services, which was where savings were required. It was also essential to ensure that savings made in any area would provide additional resources for the treaty body system, yet there was no guarantee that that would be the case. Lastly, the proposal for a “nimble calendar” was not a solution since it consisted of a set total number of weeks to be distributed between the treaty bodies, which would create unwelcome competition between them.

10. **Mr. Bruni** said that he had pointed out to the co-facilitators that expenditure on conference services, which accounted for a significant proportion of the budget allocation for the treaty bodies, could be easily reduced, for example, if summary records were no longer systematically translated into all the official languages of the United Nations. He also drew attention to the fact that adopting a Code of Conduct would require amending the instruments themselves, which was out of the question.

11. **Mr. Mariño Menéndez** said that the idea of an intergovernmental mechanism monitoring the ethics of the treaty bodies was extravagant, to say the least, and was inconsistent with the very purpose of strengthening the treaty body system, which was to enable the system to monitor more effectively the implementation by States of their obligations under instruments to which they were party.

12. **Ms. Pillay** (United Nations High Commissioner for Human Rights) said that she had taken note of the Committee’s comments and that she would transmit them in future consultations.

**Adoption of the agenda**

13. *The agenda (CAT/C/50/1) was adopted.*

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