

ANNEX 6 :

WORK OF THE COMMITTEE AGAINST TORTURE



The Committee against Torture

The Committee against Torture (CAT, or Committee) is the international body which monitors the implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) by its States parties.²²

The Committee is made up of 10 independent experts elected by States parties to UNCAT, drawn from a wide range of expertise, regions and professional backgrounds. The CAT is assisted by a professional secretariat based in the United Nations Office of the High Commissioner for Human Rights (OHCHR) in Geneva. UNCAT ratification gives States parties the opportunity to nominate experts to sit as elected members on the UN Committee against Torture. New States parties to UNCAT may therefore nominate experts for any election following ratification of the Convention. Elections of CAT members take place every two years, at meetings of States parties in Geneva. States parties have the opportunity to choose five members for the CAT during each election.

The role of Committee members

The CAT has several responsibilities, as described in UNCAT articles 19-22. The Committee must review the implementation of the Convention by each State party through reports submitted to it and during meetings with national delegations (UNCAT article 19); conduct confidential inquiries in cooperation with the State party when circumstances indicate the possibility of systematic torture being practised (article 20); and consider communications (or complaints) from States parties and from individuals, in States parties which have accepted the procedure (articles 21 and 22).

²² See <https://www.ohchr.org/en/hrbodies/cat/pages/catindex.aspx>

The Committee meets in three sessions each year (11 weeks in total) in Geneva, Switzerland. Sessions are usually held in May, August and November. Many of these meetings are open to the public, and are webcast on the UN Web TV (<http://webtv.un.org/>).

In addition to their work in Geneva, CAT members may be asked to conduct a visit to a State as part of a confidential inquiry, and may also be asked to participate in related UN meetings on a range of subjects. As recognised international experts, CAT members may also receive a number of invitations to participate in related events from State representatives and civil society. All members appear at such events in their personal capacity.

Guiding principles of CAT membership

Though members are nominated and elected by States parties, each member is independent from their State, and shall neither seek nor accept instructions from anyone concerning the performance of their duties.

Members are expected to maintain the highest standards of impartiality and integrity in the exercise of their responsibilities, and apply the standards of the Convention equally to all States and all individuals, without fear or favour and without discrimination of any kind.

Following standard UN rules and procedures, CAT experts do not work on their respective country (or any country where he or she may be seen to have a conflict of interest). Therefore, CAT members do not take part in the State party review, inquiries or communications related to their own country.

Skills and expertise of CAT members

UNCAT describes the qualities sought from Committee experts. Committee members should:

- Be persons of high moral standing; and
- Have recognised competence in the field of human rights.

No further requirements are described for CAT membership. However, for the particular nature of the role it is also recommended that CAT members also demonstrate:

- Expertise and commitment in the prohibition of torture and other forms of ill-treatment;
- Practical experience working with a range of stakeholders, including high level national authorities, persons deprived of their liberty, potentially vulnerable or marginalised groups, and civil society;
- Drafting and analytical skills for research, report writing and editing; and
- Excellent proficiency in at least one UN language (Arabic, Chinese, English, French, Russian and Spanish).

Practical aspects of CAT membership

CAT members are elected for four years, and are eligible for re-election if renominated. This has happened on a number of occasions in the CAT as well as in various other human rights treaty bodies. Whilst there are some obvious advantages to maintaining experienced experts on the CAT, there are equally advantages of incorporating new and varied expertise in the Committee.

Similar to other UN experts, CAT members are not paid to perform their functions. However, their travel costs are paid by the UN and they receive a UN daily subsistence allowance (to cover hotels, etc.) for their participation in the CAT sessions and related meetings.

CAT members do not have a diplomatic or international civil servant status. However, they do enjoy the necessary privileges and immunities of UN experts during the exercise of their functions, in particular on official missions.

Proposing a candidate for CAT membership

Prior to an election for membership to the CAT, any States parties may nominate for election one of their own nationals for membership. States parties should send the nomination and biographical data by note of their Permanent Mission, to the Office of the High Commissioner for Human Rights (registry@ohchr.org, copied to cat@ohchr.org), and drafted in accordance with the OHCHR model.

The nomination should be submitted several months before the election of the CAT members, to enable the OHCHR to circulate information on candidates to all States parties prior to the elections. The deadline for nominations is published on the webpage of the CAT.