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I. ORGANIZATIONAL AND OTHER MATTERS

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F. Activities of the Committee in connection with the Optional Protocol to the Convention

9. As at 31 March 2009, there were 46 States parties to the Optional Protocol (see annex V). As required by the Optional Protocol to the Convention, on 18 November 2008, a joint meeting was held between the members of the Committee and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture (hereinafter “the Subcommittee on Prevention”). Both the Committee and the Subcommittee on Prevention (membership of the Subcommittee on Prevention is included in annex VI) agreed on modalities for cooperation, such as the mutual sharing of information, taking into account confidentiality requirements. The informal contact group consisting of members of the Committee and the Subcommittee on Prevention continued to facilitate the communication between both treaty bodies. A further meeting was held between the Committee and the Subcommittee on Prevention on 12 May where the latter submitted its second public annual report to the Committee (CAT/C/42/2 and Corr.1). The Committee decided to transmit it to the General Assembly (see annex VII).

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H. Statement of the Committee on the adoption of its concluding observations

11. At its forty-second session, the Committee adopted a statement on the adoption of its concluding observations. This Statement reiterates that the Committee is an independent treaty body carrying out its functions under the Convention, which consists of experts of high moral standing and recognized human rights competence serving in their personal capacity, and elected by the States parties, consideration being given to equitable geographical distribution. The Statement also reiterates that the Committee discharges its function in an independent and expert manner.

12. The Statement underlines that concluding observations are an instrument of cooperation with States parties, which reflect the common assessment, made by the Committee as a whole, on the implementation of the obligations under the Convention of the State party concerned and that all States parties are obliged to cooperate with the Committee and respect the independence and objectivity of its members (see annex IX).

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I. Recommendations of the eighth inter-committee meeting

13. At its forty-second session, the Committee discussed the recommendations of the eighth inter-committee meeting, especially:

(a) The possibility of a merger of the inter-committee meeting and meeting of chairpersons which would allow for the ninth inter-committee meeting to take a decision on this issue, which the Committee supported;

(b) The possibility to enhance the decision-making role of the inter-committee meeting with regard to harmonization of working methods, which the Committee did not support;

(c) The necessity for OHCHR to allocate additional human and financial resources for the Human Rights Treaties Branch in order to ensure effective and continuous support for the work of the treaty bodies, which the Committee supported;

(d) The need to assess and analyse the follow-up procedure, identifying difficulties, obstacles and results, which the Committee supported;

(e) The need to develop effective cooperation between the treaty bodies and the Human Rights Council and strengthen institutional links among them;

(f) The possibility to further prioritize concerns in the concluding observations so that these are appropriately reflected in the compilations that contain summaries of United Nations information;

(g) The reference to the pledges and commitments made by States parties in the context of universal periodic review during their dialogue with States parties and concluding observations.

J. Informal meeting with the States parties to the Convention

14. At its forty-second session, on 28 April 2009, the Committee held an informal meeting with representatives of 47 States parties to the Convention. The Committee and the States parties discussed the following issues: methods of work; targeted reports or lists of issues prior to the submission of periodic reports; follow-up to articles 19 and 22 of the Convention; the relationship between the Committee and the Subcommittee on Prevention; possible enlargement of the membership of the Committee; and possible additional meeting time.

K. Participation of non-governmental organizations

15. The Committee has long recognized the work of non-governmental organizations (NGOs) and met with them in private, with interpretation, on the afternoon immediately before the consideration of each State party report under article 19 of the Convention. The Committee expresses its appreciation to the NGOs, for their participation in these meetings and is particularly appreciative of the attendance of national NGOs, which provide immediate and direct information.

L. Participation of national human rights institutions

16. Similarly, the Committee has since 2005 met with the national human rights institutions (NHRIs) and other institutions of civil society where these exist, of the countries it has considered. Meetings with each NHRI that attends take place, in private, usually on the day before consideration of the State party report.

17. The Committee is extremely grateful for the information it receives from these institutions, and looks forward to continuing to benefit from the information it derives from these bodies, which has enhanced its understanding of the issues before the Committee.

M. Rules of procedure

18. At its forty-second session, the Committee initiated the revision of its rules of procedure (CAT/C/3/Rev.4), amended previously at its thirteenth (November 1996), fifteenth (November 1997) and twenty-eighth (May 2002) sessions, in order to update these rules, especially with regard to the decisions taken by the meetings of chairpersons of human rights treaty bodies and the inter-committee meetings, and to bring them in line with new methods of work that the Committee is implementing as well as to include the adoption of new procedures.

N. Reporting guidelines for treaty-specific documents

19. At its forty-second session, the Committee initiated the revision of its treaty-specific reporting guidelines, in light of the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document (as contained in HRI/GEN/2/Rev.5).

O. Decision of the Committee to request approval from the General Assembly for additional meeting time in 2010 and 2011

20. At its thirty-eighth session in May 2007, the Committee adopted a new reporting procedure which includes the preparation and adoption of a list of issues to be transmitted to States parties prior to the submission of a periodic report. The replies of the State party to the list of issues would constitute its report under article 19 of the Convention. The Committee has decided to initiate this procedure in relation to periodic reports that are due in 2009 and 2010, which will not be applied to initial reports or to periodic reports already submitted and awaiting consideration by the Committee.

21. In view of the fact that there are 11 States parties to the Convention whose reports will be due in 2009 (Bosnia and Herzegovina, Cambodia, Czech Republic, Democratic Republic of the Congo, Ecuador, Greece, Kuwait, Monaco, Peru, South Africa and Turkey) and 9 whose reports will be due in 2010 (Brazil, Finland, Hungary, Kyrgyzstan,

Libyan Arab Jamahiriya, Mauritius, Mexico, Russian Federation and Saudi Arabia), additional meeting time in 2010 and 2011 is needed for the effective and timely discharge of its responsibilities by the Committee under article 19 of the Convention. For the new procedure to be effective, reports need to be considered within a 12-month period of their receipt, as this will ensure that no further updating of information is required from States parties and thus will eliminate the need for written replies and list of issues after the reports have been received.

22. In view of the effective implementation of this optional procedure and with the acknowledgement of the programme budget implications arising from the Committee's decision, the Committee decided to request the General Assembly to provide appropriate financial support to enable it to meet for an additional session of four weeks in each of 2010 and 2011, in addition to the two regular three-week sessions per year (see annex X).

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II. SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION

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A. Invitation to submit periodic reports

26. At its forty-first session, the Committee decided to invite States parties, in the last paragraph of the concluding observations, to submit their next periodic reports within a four-year period from the adoption of the concluding observations, and to indicate the due date of the next report in the same paragraph. It also decided not to request consolidated reports when inviting States parties to submit their next periodic report.

B. Optional reporting procedure

27. Considering the positive feedback received from States and their acceptance of the new optional reporting procedure, the Committee decided at its forty-second session to continue, on a regular basis, with this procedure, adopted in May 2007 at its thirty-eighth session. This procedure consists in the preparation and adoption of lists of issues to be transmitted to States parties prior to the submission of their periodic report. In this regard, the Committee:

(a) Adopted lists of issues for States parties whose reports are due in 2010 (Brazil, Finland, Hungary, Kyrgyzstan, Libyan Arab Jamahiriya, Mauritius, Mexico, Russian Federation and Saudi Arabia). This adoption was done in plenary, following the Committee's decision to adopt all its lists of issues in plenary. These lists of issues will be transmitted to the respective States parties with a request that replies be submitted by September 2010, should the State party wish to avail itself of the new procedure. In that respect, the Committee will also request that it be informed by these nine States parties as

to their intention of availing themselves of the new procedure by 31 July 2009. This information will allow the Committee to plan its meeting requirements to ensure the timely consideration of reports;

(b) Decided that it will prepare, adopt and transmit lists of issues for States parties whose reports are due in 2011, which are Bahrain, Benin, Denmark, Estonia, Georgia, Germany, Guatemala, Italy, Japan, Latvia, Luxembourg, Namibia, the Netherlands, Norway, Paraguay, Poland, Portugal, Sri Lanka, Tunisia, Ukraine, United States of America and Uzbekistan.

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IV. FOLLOW-UP ON CONCLUDING OBSERVATIONS ON STATES PARTIES REPORTS

53. In this chapter, the Committee updates its findings and activities that follow-up to concluding observations adopted under article 19 of the Convention, in accordance with the recommendations of its Rapporteur on follow-up to concluding observations. The Rapporteur's activities, responses by States parties, and the Rapporteur's views on recurring concerns encountered through this procedure are presented below, and updated through 15 May 2009, following the Committee's forty-second session.

54. In chapter IV of its annual report for 2005-2006 (A/61/44), the Committee described the framework that it had developed to provide for follow-up subsequent to the adoption of the concluding observations on States parties reports submitted under article 19 of the Convention. It also presented information on the Committee's experience in receiving information from States parties from the initiation of the procedure in May 2003 through May 2009.

55. In accordance with rule 68, paragraph 2, of the rules of procedure, the Committee established the post of Rapporteur for follow-up to concluding observations under article 19 of the Convention and appointed Ms. Felice Gaer to that position. As in the past, Ms. Gaer presented a progress report to the Committee in May 2009 on the results of the procedure.

56. The Rapporteur has emphasized that the follow-up procedure aims "to make more effective the struggle against torture and other cruel, inhuman and degrading treatment or punishment", as articulated in the preamble to the Convention. At the conclusion of the Committee's review of each State party report, the Committee identifies concerns and recommends specific actions designed to enhance each State party's ability to implement the measures necessary and appropriate to prevent acts of torture and ill-treatment, and thereby assists States parties in bringing their law and practice into full compliance with the obligations set forth in the Convention.

57. In its follow-up procedure, the Committee has identified a number of these recommendations as requiring additional information specifically for this procedure. Such follow-up recommendations are identified because they are serious, protective, and

are considered able to be accomplished within one year. The States parties are asked to provide within one year information on the measures taken to give effect to its follow-up recommendations which are specifically noted in a paragraph near the end of the conclusions and recommendations on the review of the States parties' reports under article 19.

58. Since the procedure was established at the thirtieth session in May 2003, through the end of the forty-second session in May 2009, the Committee has reviewed 81 States for which it has identified follow-up recommendations. Of the 67 States parties that were due to have submitted their follow-up reports to the Committee by 15 May 2009, 44 had completed this requirement. As of 15 May 2009, 23 States had not yet supplied follow-up information that had fallen due. The Rapporteur sends reminders requesting the outstanding information to each of the States whose follow-up information was due, but had not yet been submitted, and who had not previously been sent a reminder. The status of the follow-up to concluding observations may be found in the web pages of the Committee (<http://www2.ohchr.org/english/bodies/cat/sessions.htm>).

59. The Rapporteur noted that 14 follow-up reports had fallen due since the previous annual report. However, only 4 (Algeria, Estonia, Portugal and Uzbekistan) of these 14 States had submitted the follow-up information in a timely manner. Despite this, she expressed the view that the follow-up procedure had been remarkably successful in eliciting valuable additional information from States on protective measures taken during the immediate follow-up to the review of the periodic reports. One State party (Montenegro) had already submitted information which was due only in November 2009. While comparatively few States had replied precisely on time, 34 of the 44 respondents had submitted the information on time or within a matter of one to four months following the due date. Reminders seemed to help elicit many of these responses. The Rapporteur also expressed appreciation to non-governmental organizations, many of whom had also encouraged States parties to submit follow-up information in a timely way.

60. Through this procedure, the Committee seeks to advance the Convention's requirement that "each State party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture ..." (art. 2, para. 1) and the undertaking "to prevent ... other acts of cruel, inhuman and degrading treatment or punishment ..." (art. 16).

61. The Rapporteur expressed appreciation for the information provided by States parties regarding those measures taken to implement their obligations under the Convention. In addition, she has assessed the responses received as to whether all the items designated by the Committee for follow-up (normally between three and six recommendations) have been addressed, whether the information provided responds to the Committee's concern, and whether further information is required. Each letter responds specifically and in detail to the information presented by the State party. Where further information has been needed, she has written to the concerned State party with specific requests for further clarification. With regard to States that have not supplied the follow-up information at all, she requests the outstanding information.

62. At its thirty-eighth session in May 2007, the Committee decided to make public the Rapporteur's letters to the States parties. These would be placed on the web page of the Committee. The Committee further decided to assign a United Nations document symbol number to all States parties' replies to the follow-up and also place them on its website (<http://www2.ohchr.org/english/bodies/cat/sessions.htm>).

63. Since the recommendations to each State party are crafted to reflect the specific situation in that country, the follow-up responses from the States parties and letters from the Rapporteur requesting further clarification address a wide array of topics. Among those addressed in the letters sent to States parties requesting further information have been a number of precise matters seen as essential to the implementation of the recommendation in question. A number of issues have been highlighted to reflect not only the information provided, but also the issues that have not been addressed but which are deemed essential to the Committee's ongoing work, in order to be effective in taking preventive and protective measures to eliminate torture and ill-treatment.

64. In the correspondence with States parties, the Rapporteur has noted recurring concerns which are not fully addressed in the follow-up replies. The following list of items is illustrative, not comprehensive:

(a) The need for greater precision on the means by which police and other personnel instruct on and guarantee detainees their right to obtain prompt access to an independent doctor, lawyer and family member, and the treatment of detainees during pretrial detention;

(b) The importance of specific case examples regarding such access, and implementation of other follow-up recommendations;

(c) The need for separate, independent and impartial bodies to examine complaints of abuses of the Convention, because the Committee has repeatedly noted that victims of torture and ill-treatment are unlikely to turn to the very authorities of the system allegedly responsible for such acts; and the importance of the protection of persons employed in such bodies, and precise information about plans to reform and empower human rights institutions at the national levels to address torture-related issues;

(d) The value of providing precise information such as lists of prisoners which are good examples of transparency, but which often reveal a need for more rigorous fact-finding and monitoring of the treatment of persons facing possible infringement of the Convention;

(e) Numerous ongoing challenges in gathering, aggregating, and analysing police and administration of justice statistics in ways that ensure adequate information as to personnel, agencies, or specific facilities responsible for alleged abuses;

(f) The protective value of prompt and impartial investigations into allegations of abuse, and in particular information about effective parliamentary or national human rights commissions or ombudspersons as investigators, especially for instances of unannounced inspections; the utility of permitting non-governmental organizations to conduct prison visits; and the utility of precautionary measures to protect investigators and official visitors from harassment or violence impeding their work;

(g) The need for information about specific professional police training programmes, with clear-cut instructions as to the prohibition against torture and practice in identifying the sequelae of torture; and for information about the conduct of medical examinations, including autopsies, by trained medical staff, especially whether they are informed of the need to document signs of torture including sexual violence and to ensure the preservation of evidence of torture;

(h) The need for evaluations and continuing assessments of whether a risk of torture or other ill-treatment results from official counter-terrorism measures;

(i) The lacunae in statistics and other information regarding offences, charges and convictions, including any specific disciplinary sanctions against officers and other relevant personnel, particularly on newly examined issues under the Convention, including data on crimes involving torture or ill-treatment said to be motivated by ethnic or racial factors, incidents of sexual violence, complaints about abuses within the military, the use of “diplomatic assurances” for persons being returned to another country to face criminal charges (including information on the matter of diplomatic assurances when they exist, such as the number of cases of returns, the number of cases in which assurances are sought, the minimum requirements for such assurances and any post-return monitoring review mechanisms), etc.;

(j) Concerns about the absence or inadequacy of information on the measures, available or actually used to address complaints of police misconduct, including the creation of oversight commissions or other measures;

(k) The lacunae in statistics concerning fair and adequate compensation and rehabilitation measures for victims of torture, including victims of sexual violence.

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VI. CONSIDERATION OF COMPLAINTS UNDER ARTICLE 22 OF THE CONVENTION

A. Introduction

71. 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 against Torture for consideration, subject to the conditions laid down in that article. Sixty-four out of 146 States that have acceded to or ratified the Convention have declared that they recognize the competence of the Committee to receive and consider complaints under article 22 of the Convention. The list of those States is contained in annex III. 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.

72. Consideration of complaints under article 22 of the Convention takes place in closed meetings (art. 22, para. 6). All documents relating to the work of the Committee under article 22, i.e. submissions from the parties and other working documents of the Committee, are confidential. Rules 107 and 109 of the Committee’s rules of procedure set out the modalities of the complaints procedure.

73. The Committee decides on a complaint in the light of all information made available to it by the complainant and the State party. The findings of the Committee are communicated to the parties (article 22, paragraph 7, of the Convention and rule 112 of the rules of procedure) and are made available to the public. The text of the Committee's decisions declaring complaints inadmissible under article 22 of the Convention is also made public, without disclosing the identity of the complainant, but identifying the State party concerned.

74. Pursuant to rule 115, paragraph 1, of its rules of procedure, the Committee may decide to include in its annual report a summary of the communications examined. The Committee shall also include in its annual report the text of its decisions under article 22, paragraph 7, of the Convention.

B. Interim measures of protection

75. Complainants frequently request preventive protection, particularly in cases concerning imminent expulsion or extradition, where they allege a violation of article 3 of the Convention. Pursuant to rule 108, paragraph 1, at any time after the receipt of a complaint, the Committee, through its Rapporteur for new complaints and interim measures, may transmit to the State party concerned a request that it take such interim measures as the Committee considers necessary to avoid irreparable damage to the victim or victims of the alleged violations. The State party shall be informed that such a request does not imply a determination of the admissibility or the merits of the complaint. The Rapporteur for new complaints and interim measures regularly monitors compliance with the Committee's requests for interim measures.

76. The Rapporteur for new complaints and interim measures has developed the working methods regarding the withdrawal of requests for interim measures. Where the circumstances suggest that a request for interim measures may be reviewed before the consideration of the merits, a standard formulation is added to the request, stating that the request is made on the basis of the information contained in the complainant's submission and may be reviewed, at the initiative of the State party, in the light of information and comments received from the State party and any further comments, if any, from the complainant. Some States parties have adopted the practice of systematically requesting the Rapporteur to withdraw his request for interim measures of protection. The Rapporteur has taken the position that such requests need only be addressed if based on new and pertinent information which was not available to him when he took his initial decision on interim measures.

77. The Committee has conceptualized the formal and substantive criteria applied by the Rapporteur for new complaints and interim measures in granting or rejecting requests for interim measures of protection. Apart from timely submission of a complainant's request for interim measures of protection under rule 108, paragraph 1, of the Committee's rules of procedure, the basic admissibility criteria set out in article 22, paragraphs 1 to 5, of the Convention, must be met by the complainant for the Rapporteur

to act on his or her request. The requirement of exhaustion of domestic remedies may be dispensed with if the only remedies available to the complainant are without suspensive effect, i.e. remedies that, for instance, do not automatically stay the execution of an expulsion order to a State where the complainant might be subjected to torture, or if there is a risk of immediate deportation of the complainant after the final rejection of his or her asylum application. In such cases, the Rapporteur may request the State party to refrain from deporting a complainant while his or her complaint is under consideration by the Committee, even before domestic remedies have been exhausted. As for substantive criteria to be applied by the Rapporteur, a complaint must have a substantial likelihood of success on the merits for it to be concluded that the alleged victim would suffer irreparable harm in the event of his or her deportation.

78. The Committee is aware that a number of States parties have expressed concern that interim measures of protection have been requested in too large a number of cases alleging violations of article 3 of the Convention, especially where the complainant's deportation is alleged to be imminent, and that there are insufficient factual elements to warrant a request for interim measures. The Committee takes such expressions of concern seriously and is prepared to discuss them with the States parties concerned. In this regard it wishes to point out that in many cases, requests for interim measures are lifted by the Special Rapporteur, on the basis of pertinent State party information received that obviates the need for interim measures.

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VII. FUTURE MEETINGS OF THE COMMITTEE

96. In accordance with rule 2 of its rules of procedure, the Committee holds two regular sessions each year. In consultation with the Secretary-General, the Committee took decisions on the dates of its regular session for the biennium 2010-2011. Those dates are:

Forty-fourth	26 April-14 May 2010
Forty-fifth	1-19 November 2010
Forty-sixth	25 April-13 May 2011
Forty-seventh	31 October-18 November 2011

97. With reference to the annual reports of the Committee to the General Assembly at its sixty-second session,¹ its sixty-third session, and to chapter II, paragraph 27, of the present report, the Committee notes it will require additional meeting time in 2010 and 2011 to consider the reports presented under the new reporting procedure, i.e. those reports submitted by States parties in response to the lists of issues transmitted prior to the submission of their report. The extension of meeting time and appropriate financial

¹ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 44 (A/62/44)*, chapter II, paras. 23-24 and *Sixty-third Session, Supplement No. 44 (A/63/44)*, chapter VII, para. 101.

support to enable the Committee to meet for an additional session of four weeks in each of 2010 and 2011, in addition to the two regular three week sessions per year, is an important requirement to addressing the examination of the reports from States parties that have availed themselves of the new procedure.

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Annex IX

STATEMENT OF THE COMMITTEE ON THE ADOPTION OF ITS CONCLUDING OBSERVATIONS*

14 May 2009

1. As an independent treaty body carrying out its functions under the Convention, which consists of experts of high moral standing and recognized human rights competence serving in their personal capacity, and elected by the States parties, consideration being given to equitable geographical distribution (paragraph 1 of article 17 of the Convention), the Committee strongly rejects any allegations that it does not discharge its function in an independent and expert manner.
2. The Committee considers that unfounded allegations about the Committee, or its individual members, harm the achievement of the Convention's goals.
3. The concluding observations of the Committee against Torture are adopted by the Committee in accordance with paragraph 3 of article 19 of the Convention against Torture and chapters X, XI and XVI of the Committee's rules of procedure and, pursuant to these provisions, are adopted by the Committee as a whole, and not by individual members.
4. Concluding observations are adopted according to the following method: the members of the Committee designated as Rapporteurs on a State party's report prepare a preliminary draft. This draft is based on the information provided (1) by the State party, including by the State party's delegation during the dialogue with the Committee, (2) by mechanisms and agencies of the United Nations, including other treaty bodies and relevant special procedures of the Human Rights Council, and (3) by other sources, especially National Human Rights Institutions and organizations of the civil society, as well as (4) on the assessment the Committee does of the implementation, by the State party, of the provisions of the Convention and the Committee's previous recommendations.

* Previously issued under symbol number CAT/C/42/3.

5. The draft is presented to the plenary of the Committee and the members discuss it on the basis of the information indicated above. The proper discharge of the Committee's mandate under the Convention requires a careful and thorough review of such information as the Committee members require, as it is their sole prerogative as experts to decide on their own sources of information. Following this discussion, in plenary, the concluding observations are adopted by consensus or, if consensus is not possible, by voting.

6. Concluding observations are an instrument of cooperation with States parties which reflect the common assessment, made by the Committee, on a particular State party's obligations under the Convention. The functions of the Committee are to consider the measures taken by States parties to prevent torture and other cruel, inhuman or degrading treatment or punishment, hence making more effective the struggle against those acts throughout the world (preamble and articles 2, 16 and 19 of the Convention). The Committee will continue to carry out its functions in an independent and expert manner, as guardian of the Convention against Torture and in accordance with its provisions.

7. The Committee against Torture recalls the obligations of all States parties to cooperate with the Committee and to respect the independence and objectivity of its members.

Annex X

DECISION OF THE COMMITTEE TO REQUEST APPROVAL FROM THE GENERAL ASSEMBLY AT ITS SIXTY-FOURTH SESSION FOR ADDITIONAL MEETING TIME IN 2010 AND 2011

19 November 2008

At its thirty-eighth session in May 2007, the Committee adopted a new procedure on a trial basis which includes the preparation and adoption of a list of issues to be transmitted to States parties prior to the submission of their periodic report. The replies of the State party to the list of issues would constitute its report under article 19 of the Convention. The Committee is of the view that this procedure could assist States parties in preparing focused reports. The lists of issues prior to reporting could guide the preparation and content of the report, and the procedure would facilitate reporting by States parties and strengthen their capacity to fulfil their reporting obligations in a timely and effective manner.

The Committee has decided to initiate this procedure in relation to periodic reports that are due in 2009 and 2010. It will not be applied to States parties' reporting obligations where initial reports are concerned or to periodic reports for which a previous report has already been submitted and is awaiting consideration by the Committee. On 15

May 2007, the Committee met with States parties and introduced and discussed the new procedure. The Committee adopted lists of issues for States parties whose reports are due in 2009, at its thirty-ninth session in November 2007. The lists of issues were transmitted to the respective States parties on 28 February 2008, with a request that replies be submitted by 30 June 2009, should the State party wish to avail itself of this new procedure.

In addition, the Committee requested information from the 11 States parties eligible for this procedure as to their intention of availing themselves of the new procedure. This information was requested to allow the Committee to plan its meeting requirement to ensure the timely consideration of these reports. As of 16 May 2008, the Czech Republic, Ecuador, Greece, Kuwait, Monaco and Turkey had officially confirmed that they would avail themselves of the new procedure. In addition, Bosnia and Herzegovina, Cambodia and Peru had informally notified the Committee that they too would avail themselves of the new procedure.

During the current session, the Committee has initiated the mentioned procedure in regard to States parties whose reports are due in 2010, preparing list of issues to be adopted at its May 2009 session for Armenia, Brazil, Finland, Hungary, Kyrgyzstan, Libyan Arab Jamahiriya, Mauritius, Mexico, Morocco, Russian Federation, Saudi Arabia and Slovenia.

The programme budget implications arising from the Committee's decision have been circulated amongst the members of the Committee (oral statement, dated 14 November). The Committee therefore requests the General Assembly, at its sixty-fourth session, to approve the present request and to provide appropriate financial support to enable the Committee to meet for an additional session of four weeks in each of 2010 and 2011, in addition to the two regular three-week sessions per year.

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