



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

Distr.
GENERAL

CAT/C/SR.591
11 December 2003

Original: ENGLISH

COMMITTEE AGAINST TORTURE

Thirty-first session

SUMMARY RECORD OF THE PUBLIC PART* OF THE 591st MEETING

Held at the Palais des Nations, Geneva,
on Friday, 21 November 2003, at 10 a.m.

Chairman: Mr. BURNS

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 19 OF THE CONVENTION (continued)

Conclusions and recommendations concerning the third periodic report of Cameroon

Conclusions and recommendations concerning the initial report of Yemen

Conclusions and recommendations concerning the initial report of Lithuania

* The summary record of the closed part of the meeting appears as document
CAT/C/SR.591/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 Official Records Editing Section, 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.

CONTENTS (continued)

SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 19 OF THE
CONVENTION (continued)

ORGANIZATIONAL AND OTHER MATTERS (continued)

CLOSURE OF THE SESSION

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

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 19 OF THE CONVENTION (continued)

Conclusions and recommendations concerning the third periodic report of Cameroon
(CAT/C/34/Add.17; CAT/C/CR/31/6)

1. At the invitation of the Chairman, Mr. Bidma, Mr. Djoukeng, Mr. Mahouve, Mr. Mandandi, Ms. Mfoula and Mr. Ngantcha (Cameroon) took places at the Committee table.
2. Mr. CAMARA, Country Rapporteur, read out the Committee's conclusions and recommendations concerning the third periodic report of Cameroon (CAT/C/34/Add.17), contained in document CAT/C/CR/31/6.
3. Mr. NGANTCHA (Cameroon) said that his Government welcomed the opportunity to have such a frank and fruitful dialogue with the Committee and would endeavour to rectify those shortcomings in its domestic law and practice that the Committee had highlighted. The chance to debate and lay to rest the assorted allegations, insinuations and unfounded accusations bandied about by irresponsible scandal-mongers had been particularly refreshing. The Committee should rest assured that the Cameroonian authorities would persist in their efforts to eradicate torture.
4. Mr. Bidma, Mr. Djoukeng, Mr. Mahouve, Mr. Mandandi, Ms. Mfoula and Mr. Ngantcha (Cameroon) withdrew.

Conclusions and recommendations concerning the initial report of Yemen
(CAT/C/16/Add.10; CAT/C/CR/31/4)

5. At the invitation of the Chairman, Mr. Alduraibi, Mr. Al Fisail Alfil and Mr. Tabrizi (Yemen) took places at the Committee table.
6. The CHAIRMAN, speaking in his capacity as Country Rapporteur, read out the Committee's conclusions and recommendations concerning the initial report of Yemen (CAT/C/16/Add.10), contained in document CAT/C/CR/31/4.
7. Mr. AL FISAIL ALFIL (Yemen) said that the objective recommendations formulated by the Committee would be forwarded to the Yemeni authorities, who would take whatever measures were necessary to address the problems that the Committee had identified in the field of human rights and fundamental freedoms. His Government was new to the reporting process and hoped to improve the quality of its subsequent reports. In any event, Yemen was committed to the rule of law and intended to use the Committee's findings as guidelines for its future conduct and actions.
8. Mr. Alduraibi, Mr. Al Fisail Alfil and Mr. Tabrizi (Yemen) withdrew.

Conclusions and recommendations concerning the initial report of Lithuania (CAT/C/37/Add.5; CAT/C/CR/31/5)

9. At the invitation of the Chairman, Ms. Petrikienė and Mr. Rimkūnas (Lithuania) took places at the Committee table.

10. Mr. YAKOVLEV, Country Rapporteur, read out the Committee's conclusions and recommendations concerning the initial report of Lithuania (CAT/C/37/Add.5), contained in document CAT/C/CR/31/5.

11. Mr. RIMKŪNAS (Lithuania) said that the Committee's conclusions and recommendations would serve as a catalyst for further improvements in Lithuania in the field of human rights. The Lithuanian Government would do its utmost to include the information requested in its next periodic report.

The public part of the meeting was suspended at 11.10 a.m. and resumed at 12.30 p.m.

SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION (continued)

Overdue reports

12. Mr. RASMUSSEN suggested that dates should be set for considering, in the absence of a report, the situation in three States parties whose initial reports were long overdue and who had failed to cooperate with the Working Group on overdue reports. At the previous session the Working Group had contacted representatives of the following States parties, listed in descending order of the lateness of their reports: Uganda, Togo, Guyana, Guinea, Somalia, Bosnia and Herzegovina, Seychelles and Cape Verde. Uganda had reacted positively, but Togo, Guyana and Guinea had not responded at all. The Working Group suggested that those three States parties should be informed that the Committee would consider their human rights situation at the thirty-third session in the absence of a report. Among the remaining States parties, Bosnia and Herzegovina had reacted positively, but it was suggested that a letter should be sent to Somalia, Seychelles and Cape Verde stating that the Committee was discussing when the situation in those countries should be considered without a report.

13. Ms. GAER said that the Committee should exercise caution in deciding to consider the situation of a State party in the absence of a report, and it should not review the situation in more than one such State party at any one session. Moreover, she had reservations about deciding to consider the situation in Togo, Guyana and Guinea but not in Uganda simply because the latter had undertaken to submit a report. The Committee should be scrupulously methodical in taking decisions of that nature.

14. Mr. MARIÑO MENÉNDEZ said that the Working Group had been particularly cautious and diplomatic in approaching the States parties whose initial reports were overdue. While some States parties had undertaken in good faith to remedy the situation, it seemed

reasonable, in the case of defaulting States parties who had failed to cooperate, to invoke rule 65, paragraph 3, of the rules of procedure and notify them of the Committee's intention to take appropriate action.

15. The CHAIRMAN suggested that the Committee should decide to consider the situation in just one defaulting State party, Togo, at its thirty-third session.

16. It was so decided.

Appointment of country rapporteurs and alternate country rapporteurs

17. The CHAIRMAN invited the Committee to approve the following country rapporteurs and alternate country rapporteurs for the States parties whose reports would be considered at the thirty-third session: Albania - Ms. Gaer and Mr. Rasmussen; Argentina - Mr. Grossman and Mr. Mariño Menéndez; Canada - Mr. Mavrommatis and Mr. Yakovlev; Greece - Mr. Rasmussen and Mr. Yakovlev; Finland - Mr. El Masry and Mr. Yu Mengjia; and Togo - Mr. Mariño Menéndez and Mr. Camara.

18. It was so decided.

19. The CHAIRMAN invited the Committee to approve the appointment of Mr. El Masry and Mr. Grossman as country rapporteur and alternate country rapporteur respectively for Switzerland, the State party to be placed on standby in case one of the other States parties was unable to send a delegation.

20. It was so decided.

ORGANIZATIONAL AND OTHER MATTERS (continued)

Updating of the general guidelines regarding the form and contents of initial reports (CAT/C/4/Rev.2)

21. Mr. RASMUSSEN volunteered to submit a draft updated version of the general guidelines regarding the form and contents of initial reports submitted by States parties under article 19, paragraph 1, of the Convention (CAT/C/4/Rev.2) for discussion at the next session.

22. Ms. GAER expressed support for the project, which should be viewed in the context of formalization of the process of compiling lists of issues. It would also serve as an argument for inaugurating a three-day intersessional meeting of a working group on lists of issues as soon as possible.

23. The CHAIRMAN said he took it that the Committee agreed to Mr. Rasmussen's proposal.

24. It was so decided.

Draft general comment No. 2 of the Committee against Torture (CAT/C/Misc.XXXI/2)

25. Mr. MARÍÑO MENÉNDEZ said that he had prepared a preliminary draft general comment No. 2 on article 2 of the Convention (CAT/C/Misc.XXXI/2). He urged members to prepare comments on the draft for discussion at the next session.

CLOSURE OF THE SESSION

26. Mr. MAVROMMATIS thanked the outgoing Chairman for his years of outstanding stewardship of the Committee's proceedings.

27. The CHAIRMAN thanked all members for their cooperation during his tenure as Chairman and declared the thirty-first session of the Committee closed.

The meeting rose at 1.05 p.m.