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## 20th anniversary of the European Committee against Torture: time to take stock

### Motion for a resolution

tabled by Mr Jean-Charles GARDETTO and other members of the Assembly

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This motion has not been discussed in the Assembly and commits only those who have signed it

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The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) will celebrate its 20<sup>th</sup> anniversary in November 2009. Its priorities and the problems it is encountering were the subject of an exchange of views between the President of the CPT and the Sub-Committee on Human Rights in Monaco on 10 March 2009.

The Assembly has always supported the CPT's important work, whose success depends to a great extent on the professional skills, experience and independence of its members.

Under the 1987 European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the Assembly participates in the selection of its members by submitting a proposal to the Committee of Ministers based on the selection among shortlisted candidates by its Sub-Committee on Human Rights. [Resolution 1540 \(2007\)](#) has introduced important improvements in the selection procedure. But in order to further strengthen their standing and independence, the members of the CPT should be elected by the Assembly, after a proper interview procedure. Such a change should be enabled by way of an amendment to the Convention.

The continued success of the CPT's work also depends on the political support it receives from the Council of Europe and its member states. The Assembly deplores the lack of follow-up the Committee of Ministers has given so far to the CPT's three Public Statements made concerning the Chechen Republic of the Russian Federation. Such public statements, which require adoption by a two-thirds majority, are the CPT's means of last resort to draw attention to the failure of a member state to co-operate with it.

Under the 1987 Convention, the CPT's work is completely confidential, and even its visit reports can only be published at the request of the State concerned. Certain States do not request publication (Azerbaijan, Russia), and many others only after a very long delay (e.g. Croatia, Italy, Portugal, Spain). A good practice is followed by some States, which make CPT reports public even before sending in their own replies (e.g. Belgium, Georgia, the Netherlands and certain Nordic countries).

During its meeting in Monaco, the Sub-Committee on Human Rights was informed that the confidentiality of the ongoing co-operation between the CPT and the competent authorities is helpful for the CPT's work in the field. By contrast, the final reports, which represent the "tip of the iceberg", should be made public systematically, and in good time, in order to help generate public support for necessary improvements in



detention practices. This should be reflected in another amendment to the CPT Convention. Meanwhile, parliamentarians should urge their Governments to request publication under the existing rules, as early as possible.

*Signed (see overleaf)*

*Signed*<sup>1</sup>:

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CĂLIAN Petru, Romania  
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MARTY Dick, Switzerland, ALDE  
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1. ALDE: Alliance of Liberals and Democrats for Europe  
EDG: European Democrat Group  
EPP/CD: Group of the European People's Party  
SOC: Socialist Group