



Mr Chairperson,
Distinguished members of the Committee,
Ladies and Gentlemen

On behalf of the World Organisation Against Torture, OMCT, I would like to start with congratulating the Committee Against Torture for its work and fruitful dialogues with civil society organisations. In this context, the OMCT very much appreciates that the CAT formally allocates a full hour per country under its review for civil society organisations to interact with the Committee.

Since last year, the OMCT carries out its role as facilitator for CSOs to mobilise and coordinate their activities in relation to the Convention and the Committee. In carrying out this convening function, OMCT organizes, for example, regular meetings with CSOs and strives to ensure that alternative reports are submitted for each country under the Committee's review. We support CSOs access to the Committee in person or, when CSO representatives do not have the opportunity to come to Geneva, we try to organize a Skype session as we did last year in respect of Uruguay and Lithuania and this session with CSOs of the Republic of Macedonia.

With this initiative, we aim at supporting civil society as an important constituency for implementation and change. To this end, we disseminate an E-bulletin after every Committee session, which offers summaries of each periodic consideration of State reports, and we have set up a BLOG dedicated to the Committee's work. In addition, during last November's session, we made a documentary on CSOs engagement with the Committee that is also available on our blog.

Thanks to an NGO coalition, the public sessions of the Committee are webcasted. In order to target a broader audience to follow the CAT reporting process, we are hosting in partnership with national CSOs domestic web-screenings of the country sessions.

We would further like to address three more issues: the Committee's follow up procedure, the problem of non-reporting states and a new general comment.

Follow-up to concluding observations by the Committee is a key element for effective implementation of recommendations. While the Committee has established a formal follow-up procedure, it still does not receive the full attention from States and civil society, as it deserves. Therefore, last February, OMCT organized an expert forum on the follow-up procedure. Representatives of CSOs from Asia, Africa, Central Asia, Europe, and Latin America as well as members of the Committee discussed the following challenges and strategies for advancing the follow-up procedure:

- How to increase the response rate to the follow-up procedure;
- How to assess State compliance;
- How to get civil society more involved in the follow-up procedure;
- How to make follow-up recommendations more effective;
- And how to translate recommendations into domestic legal and policy reform.

A paper outlining these challenges and recommendations will be distributed to you shortly.

OMCT welcomes the Committee's decisions to review Guinea as a non-reporting State last year and to send to Cabo Verde and Seychelles a specific reminder to submit their initial reports or else that they would also be reviewed as non-reporting states. Since there are other non-reporting states, for example Bangladesh and Lebanon, we would like to encourage the Committee to examine non-reporting states regularly and systematically.

Finally, we would like to invite the Committee to produce a new General Comment. Based on the practical importance of the principle of non-*refoulement*, we think a revised General Comment on Article 3 of the Convention would provide the fundamental guidance and clarifications needed. We would like to briefly highlight the three most important reasons for a new General Comment on Article 3.

First, the existing General Comment from 1998 is incomplete and outdated. Several new challenges involving immigration control or counter-terrorism are not addressed in the existing General Comment.

Second, formulations in Article 3 and its existing General Comment are problematic, contested and lead states to advance restrictive interpretations.

And third, non-*refoulement* poses a very practical problem in large parts of the world. Unlike the jurisprudence of the Committee might suggest, expulsion, extradition and *refoulement* are not only a problem in western states. Our work shows that non-*refoulement* is increasingly a universal problem. Hence, cases on non-*refoulement* will most probably increase in the future. For more details on this we would like to refer to a written paper we have resubmitted to the secretariat.

Thank you for your attention.