



Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Decision on States parties whose compliance with the obligations set out in article 17 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment is substantially overdue

1. The present document is submitted pursuant to the decision taken by the Subcommittee at its twenty-ninth session, held from 13 to 17 June 2016, to adopt a decision on States parties whose compliance with article 17 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment is at least three years overdue and to publish that decision and the list of States parties concerned on its website. The Subcommittee requested that the present document, which is in line with the mandate of the Subcommittee set out in article 11 of the Optional Protocol, be made available in its three working languages.
2. At its twenty-eighth session, held from 15 to 19 February 2016, the Subcommittee decided to take further action relating to those States whose compliance with the obligations set out in article 17 of the Optional Protocol was substantially overdue. Article 17 provides that each State party shall maintain, designate or establish, at the latest one year after the entry into force of the Optional Protocol or of its ratification or accession, one or several independent national preventive mechanisms for the prevention of torture at the domestic level.
3. In April 2016, the Subcommittee addressed a letter to States parties whose compliance with article 17 of the Optional Protocol was at least three years overdue, inviting them to provide written information on steps taken to comply with their obligations under that provision. The Subcommittee also informed the States parties concerned that, at its twenty-ninth session, it would make public a list of States parties whose compliance with article 17 was at least three years overdue.
4. The letter was addressed to the following States parties: Argentina, Benin, Burkina Faso, Cambodia, Chile, Democratic Republic of the Congo, Gabon, Lebanon, Liberia, Nigeria and Panama. Replies were received from Argentina, Burkina Faso, Lebanon and Panama. After careful consideration of the information provided, the Subcommittee decided to maintain all the above-mentioned countries on the list.

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5. Compliance with the obligations set out in article 17 of the Optional Protocol is substantially overdue for the following States parties:

- (a) Argentina;
- (b) Benin;
- (c) Burkina Faso;
- (d) Cambodia;
- (e) Chile;
- (f) Democratic Republic of the Congo;
- (g) Gabon;
- (h) Lebanon;
- (i) Liberia;
- (j) Nigeria;
- (k) Panama.

6. The Subcommittee will review the list periodically and will immediately remove from it those States that comply with article 17 of the Optional Protocol.

7. The Subcommittee remains committed to cooperating with States parties by providing advice and assistance concerning the establishment of national preventive mechanisms.
