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COMMITTEE AGAINST TORTURE

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**Statement of the Committee against Torture
on the adoption of its Concluding Observations
(14 May 2009)**

1. As an independent treaty body carrying out its functions under the Convention which consist of experts of high moral standing, 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 a 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 parties' 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.

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.
