



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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The Secretary-General of the United Nations has the honour to refer to the provisions of articles 5 to 9 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment relating to the election of members of the Subcommittee on Prevention of Torture, the text of which is attached (Annex I).

The ninth Meeting of the States parties to the Optional Protocol will be convened by the Secretary-General at the United Nations Office at Geneva on **Thursday 20 October 2022** to elect thirteen members of the Subcommittee on Prevention of Torture to replace those whose terms are due to expire on 31 December 2022 (Annex II).

Pursuant to articles 6 and 7 of the Optional Protocol, the Secretary-General has the honour to invite His Excellency's Government to submit its nomination of candidate for this election, together with the biographical data of the nominated candidates, using the attached model (Annex III) and **not exceeding 38 lines**.

The Secretary-General would like to draw attention to the General Assembly resolution A/68/268, adopted on 9 April 2014, entitled "Strengthening and enhancing the effective functioning of the human rights treaty body system" and its provisions 10 and 13 on the nomination and election of treaty body experts:


"Encourages States parties to continue their efforts to nominate experts of high moral standing and recognized competence and experience in the field of human rights, in particular in the field covered by the relevant treaty, and, as appropriate, to consider adopting national policies or processes with respect to the nomination of experts as candidates for human rights treaty bodies;"

"Encourages States parties, in the election of treaty body experts, to give due consideration, as stipulated in the relevant human rights instruments, to equitable geographical distribution, the representation of the different forms of civilization and the principal legal systems, balanced gender representation and the participation of experts with disabilities in the membership of the human rights treaty bodies;"

The Secretary-General would also like to draw attention to the attached note (Annex IV) on the requirements, responsibilities and entitlements relating to the membership of the Subcommittee on Prevention of Torture.

Nominations and biographical data, in electronic version (**Word format**), should be submitted, by a Note Verbale of the Permanent Mission, to the Secretary-General, c/o Office of the High Commissioner for Human Rights, United Nations Office at Geneva (ohchr-registry@un.org, copy to ohchr-opcat@un.org), **by 18 August 2022 at the latest**.

In accordance with article 6(3) of the Optional Protocol, the Secretary-General shall prepare a list, in alphabetical order, of all the persons nominated, with an indication of the States parties that have nominated them. All documents concerning the ninth meeting of the States parties will be available on the website of the Office of the High Commissioner for Human Rights at: <https://www.ohchr.org/en/treaty-bodies/spt/meetings-states-parties-elections>


18 May 2022

Annex I

OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

PART II

Subcommittee on Prevention

Article 5

1. The Subcommittee on Prevention shall consist of ten members. After the fiftieth ratification of or accession to the present Protocol, the number of the members of the Subcommittee on Prevention shall increase to twenty-five.
2. The members of the Subcommittee on Prevention shall be chosen from among persons of high moral character, having proven professional experience in the field of the administration of justice, in particular criminal law, prison or police administration, or in the various fields relevant to the treatment of persons deprived of their liberty.
3. In the composition of the Subcommittee on Prevention due consideration shall be given to equitable geographic distribution and to the representation of different forms of civilization and legal systems of the States Parties.
4. In this composition consideration shall also be given to balanced gender representation on the basis of the principles of equality and non-discrimination.
5. No two members of the Subcommittee on Prevention may be nationals of the same State.
6. The members of the Subcommittee on Prevention shall serve in their individual capacity, shall be independent and impartial and shall be available to serve the Subcommittee on Prevention efficiently.

Article 6

1. Each State Party may nominate, in accordance with paragraph 2 of the present article, up to two candidates possessing the qualifications and meeting the requirements set out in article 5, and in doing so shall provide detailed information on the qualifications of the nominees.
2.
 - (a) The nominees shall have the nationality of a State Party to the present Protocol;
 - (b) At least one of the two candidates shall have the nationality of the nominating State Party;
 - (c) No more than two nationals of a State Party shall be nominated;
 - (d) Before a State Party nominates a national of another State Party, it shall seek and obtain the consent of that State Party.
3. At least five months before the date of the meeting of the States Parties during which the elections will be held, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within three months. The Secretary-General shall submit a list, in alphabetical order, of all persons thus nominated, indicating the States Parties that have nominated them.

Article 7

1. The members of the Subcommittee on Prevention shall be elected in the following manner:
 - (a) Primary consideration shall be given to the fulfilment of the requirements and criteria of article 5 of the present Protocol;
 - (b) The initial election shall be held no later than six months after the entry into force of the present Protocol;
 - (c) The States Parties shall elect the members of the Subcommittee on Prevention by secret ballot;
 - (d) Elections of the members of the Subcommittee on Prevention shall be held at biennial meetings of the States Parties convened by the Secretary-General of the United Nations. At those meetings, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Subcommittee on Prevention shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of the States Parties present and voting.

2. If during the election process two nationals of a State Party have become eligible to serve as members of the Subcommittee on Prevention, the candidate receiving the higher number of votes shall serve as the member of the Subcommittee on Prevention. Where nationals have received the same number of votes, the following procedure applies:
 - (a) Where only one has been nominated by the State Party of which he or she is a national, that national shall serve as the member of the Subcommittee on Prevention;
 - (b) Where both candidates have been nominated by the State Party of which they are nationals, a separate vote by secret ballot shall be held to determine which national shall become the member;
 - (c) Where neither candidate has been nominated by the State Party of which he or she is a national, a separate vote by secret ballot shall be held to determine which candidate shall be the member.

Article 8

If a member of the Subcommittee on Prevention dies or resigns, or for any cause can no longer perform his or her duties, the State Party that nominated the member shall nominate another eligible person possessing the qualifications and meeting the requirements set out in article 5, taking into account the need for a proper balance among the various fields of competence, to serve until the next meeting of the States Parties, subject to the approval of the majority of the States Parties. The approval shall be considered given unless half or more of the States Parties respond negatively within six weeks after having been informed by the Secretary-General of the United Nations of the proposed appointment.

Article 9

The members of the Subcommittee on Prevention shall be elected for a term of four years. They shall be eligible for re-election once if renominated. The term of half the members elected at the first election shall expire at the end of two years; immediately after the first election the names of those members shall be chosen by lot by the Chairman of the meeting referred to in article 7, paragraph 1 (d).

Annex II
Membership of the Subcommittee on Prevention of Torture

Name of Member	Nationality	Term expires on 31 December
Ms. Patricia ARIAS	Chile	2022
Ms. Vasiliki ARTINOPOULOU	Greece	2022
Mr. Massimiliano BAGAGLINI	Italy	2024
Ms. Marie BRASHOLT	Denmark	2024
Ms. Maria Andrea CASAMENTO	Argentina	2024
Ms. Carmen COMAS-MATA MIRA	Spain	2022
Mr. Jakub Julian CZEPEK	Poland	2024
Ms. Marija DEFINIS-GOJANOVIC	Croatia	2022
Mr. Hameth Saloum DIAKHATE	Senegal	2022
Mr. Satyabhooshun Gupt DOMAH	Mauritius	2024
Ms. Hamida DRIDI	Tunisia	2024
Mr. Roberto Michel FEHÉR PÉREZ	Uruguay	2022
Mr. Marco FEOLI VILLALOBOS	Costa Rica	2024
Mr. Daniel FINK	Switzerland	2024
Ms. Suzanne JABBOUR	Lebanon	2022
Mr. Gnambi Garba KODJO	Togo	2022
Mr. Nika KVARATSKHELIA	Georgia	2022
Ms Marina LANGFELDT	Germany	2024
Ms. Aisha Shujune MUHAMMAD	Maldives	2024
Mr. Abdallah OUNNIR	Morocco	2024
Ms. Catherine PAULET	France	2022
Ms. Zdenka PEROVIĆ	Montenegro	2024
Ms. María Luisa ROMERO	Panama	2022
Ms. Nora SVEAASS	Norway	2022
Mr. Juan Pablo VEGAS	Peru	2022

Annex III

Biographical data form of candidates to the Subcommittee on Prevention of Torture (SPT)

**Please respect the specified amount of lines when completing this form,
38 lines maximum**

Name and first name:

Date and place of birth:

Working languages:

Professional background:

Educational background:
(5 lines maximum)

.....

Current position/function:
(5 lines maximum)

.....

Main professional activities:
(10 lines maximum)

.....

Other main activities in the field relevant to the mandate of the Subcommittee on Prevention of
Torture:
(10 lines maximum)

.....

List of most recent publications in the field relevant to the mandate of the Subcommittee on
Prevention of Torture:
(5 lines maximum)

.....

Annex IV

Requirements, responsibilities and entitlements relating to Treaty Body Membership

The General Assembly, in resolution 68/268 on strengthening and enhancing the treaty body system, adopted in April 2014, encourages States parties to give due consideration, during the election of treaty body members to equitable geographical distribution, representation of the different forms of civilization and the principal legal systems, balanced gender representation and participation of experts with disabilities in the membership of the treaty bodies (paragraph 13).

The present paper was prepared to help potential candidates for membership in the SUBCOMMITTEE ON PREVENTION OF TORTURE (SPT) to understand the implications of being a member in regard to the time and other commitments that, if elected, they would be expected to uphold. Any questions on the contents may be directed to the Secretariat of the SPT at ohchr-opcat@un.org.

1. SPT-specific information

a. Mandate

The SPT is a body of independent experts that monitors the implementation of the rights provided for under the OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE (OPCAT), by States parties. The SPT was established under the OPCAT to carry out the functions set out in articles 2 and 11 to 16 of the OPCAT, including visits to places of deprivation of liberty in the States parties to the OPCAT. SPT members are elected by the meeting of States parties for a term of four years. They shall be eligible for re-election once if renominated.

b. Sessions

The SPT holds three sessions of a week per year, in February, June and November. Members of the SPT are expected to participate for the entire sessions.

c. Languages

During SPT sessions, interpretation is provided in the following languages: English, French and Spanish. The working languages of the SPT are: English, French and Spanish. "Working languages" refers to those languages in which the internal working documents (mostly draft versions of text to be adopted) are made available to the SPT.

The official languages of the United Nations are: Arabic, Chinese, English, French, Russian and Spanish. "Official languages" refers to those languages in which its official documentation is published. The working languages of the United Nations Secretariat in Geneva are English and French. Day-to-day communication with members takes place in English and French, and depending on the language capacity of the available staff, also in Spanish. In view of the growing constraints on the UN translation services, the SPT is increasingly confronting a situation of having to undertake its work without the working language versions of documents.

d. Expertise

In accordance with the provisions of the OPCAT, experts shall be of high moral character, impartial, and possess recognized competence in the field covered by the Convention and OPCAT, such as professional experience in the field of the administration of justice, in particular criminal law, prison or police administration, or in the various fields relevant to the treatment of persons deprived of their liberty. General Assembly resolution 68/268 of April 2014 encourages States parties to nominate experts of high moral standing and recognized competence and experience in the field of human rights, in particular in the field covered by the relevant treaty (paragraph 10).

2. The work of SPT Members

a. Activities within the formal work program of the SPT: sessions and field visits

Members of treaty bodies participate in all aspects of the work of a particular treaty body, bringing their valuable expertise and experience. Most treaty bodies consider State party reports, many also consider individual communications, conduct inquiries or visits, consider urgent actions – all depending on the specific mandate of the particular treaty body. Treaty bodies often also prepare general comments and statements, as well as organize discussion days on particular themes. In the case of the SPT, most of its activities relates to the preparation and undertaking of visits, adoption of visits reports and advice to national preventive mechanisms (NPMs).

Official meeting time varies from three weeks to three months per year and meetings take place in Geneva. In between sessions, communication between members and with the secretariat or other partners is conducted through e-mail. Members are expected to engage actively in all aspects of the work of the treaty body, to prepare for the dialogues with delegations of States parties, to provide drafts texts and/or written comments on drafts, as well as to participate in other activities of the treaty body. In the case of the SPT, most of its inter-session activities also relates to the preparation and undertaking of visits, drafting and adoption of visits reports and advice to national preventive mechanisms (NPMs).

During the sessions, members of treaty bodies have challenging workloads, which may extend beyond the formal schedule of the session, such as informal meetings related to the State party reviews. In addition to the formal meeting hours with simultaneous interpretation in working languages, a number of informal briefings are usually organized for the members in the margins of the session, in one language only. In order to prepare for the session, members of treaty bodies may need to do a great deal of analytical and preparatory work prior to the session. In the case of the SPT, activities during sessions are often done in working groups and regional teams outside plenary sessions and bilateral meetings with States Parties, civil society organizations and NPMs are common.

Information submitted by State parties as well as from a variety of civil society and United Nations partners is available to the experts in advance of the session in electronic format. It should be noted that the material is not as a rule available in all working languages of the treaty bodies in a timely manner. The UN is increasingly moving towards “paper-smart” meetings, and use of hard copies is being reduced or eliminated.

In addition to the monitoring function of the treaty body, members will have the opportunity to discuss the improvement of working methods of the treaty body and also be invited to contribute to broader discussions on the strengthening of the treaty body system. The Chairpersons of the treaty bodies further meet once a year to discuss issues of common concern and the harmonization of treaty body working methods. Members are expected to contribute to the more effective and efficient functioning of their treaty bodies by streamlining and harmonizing the working methods.

Members of treaty bodies are also encouraged to conduct paperless green sessions by using their laptop computers and the extranet of their treaty bodies.

b. Other Activities of the SPT

Members of the SPT may, depending on a variety of factors, be called upon to represent the SPT in official events that fall outside the scope of its normal work undertaken at its regular sessions as described above. Such activities may include training or awareness-raising activities on the Convention, the OPCAT and the SPT at the national, regional or international levels, or other speaking engagements. Unless there is a specific allocation under the regular budget, there is no budget allocated to the SPT for activities outside its regular sessions and visits.

3. Status, Conduct and Accountability of Treaty Body experts

SPT members are experts performing missions for the United Nations in accordance with the Convention on the Privileges and Immunities of the United Nations. The independence and impartiality of members of the human rights treaty bodies requires that they serve in their personal capacity.

Section 22 of the Convention on the Privileges and Immunities of the United Nations establishes the detailed privileges and immunities accorded to experts on mission, which are deemed necessary for the independent exercise of their functions during the period of their mission, which also includes travel time. The rationale for such privileges and immunities is to ensure that experts are free from any interference during their missions. It is important to note that privileges and immunities are granted to experts on mission in the interests of the Organisation and not for the personal benefit of the experts on mission.

As indicated in the Addis Ababa Guidelines, adopted at the 24th annual meeting of chairpersons of the treaty bodies, endorsed by most treaty bodies as self-regulatory guidelines, and noted in General Assembly resolution 68/268 on treaty body strengthening (paragraph 36), members of treaty bodies have the responsibility to regulate their acts and behaviours in accordance with the rules of procedures of each treaty body and the Addis Ababa Guidelines.

Standards of conduct and accountability for experts on mission can be found in Secretary-General's bulletin ST/SGB/2002/9 entitled "Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission" (the Regulations). The Regulations from part of the terms of appointment of treaty body experts and cover issues relating to independence, conduct expected of a treaty body expert, including the prohibition of any form of discrimination or harassment, including sexual harassment, as well as physical or verbal abuse at the workplace or in connection with work, as well as accountability to the United Nations.

OHCHR supports the work of the human rights treaty bodies through the Human Rights Treaties Branch (HRTB). Staff members of HRTD follow the reporting lines of their supervisors under the supervision of Chiefs of Sections and overall responsibilities of the Chief of Branch and Director. Working relations between staff members of OHCHR and the members of treaty bodies are based on mutual respect. One of HRTB's main responsibilities is to prepare, run and follow up treaty body sessions and thereby staff members assist treaty bodies to discharge their mandates. For specific tasks undertaken by members of treaty bodies, members may request individual support from staff members and, in such case, requests should be channelled through treaty body secretaries.

4. The entitlements of SPT Members

a. Travel to Geneva and for field visits

The United Nations provides for the members of the human rights treaty bodies to travel to Geneva for their regular sessions as well as for their field visits. In accordance with the United Nations Financial Rules and Regulations and the United Nations Travel Regulations, the flights of treaty body members are arranged on the basis of a round-trip air ticket by the class immediately below first class (normally business class) via the most economical air fare and the most direct route. If a member requests a personal itinerary that is different from the officially authorized route, s/he will be required to pay the additional costs that it entails. Travel by other means than airplane may be accommodated, subject to United Nations Travel Regulations in the matter.

b. Daily Subsistence Allowance (DSA)

Membership in the treaty bodies is an unpaid, voluntary service to the United Nations. The United Nations provides, however, an elevated daily subsistence allowance (DSA) to treaty body members. The DSA is meant to cover the costs of accommodation, meals, local transportation, telephone costs, and other incidentals for the duration of the sessions in Geneva. Members are responsible for making their own accommodation and local transportation arrangements.

5. Medical insurance

All experts are responsible for providing for their own medical and life insurance. The United Nations does not provide for medical insurance or reimburse medical expenses. Experts are, however, covered for any "service-incurred" accidents that may arise as a function of their participation in official meetings or missions as indicated by the Secretary-General's Bulletin on "Rules governing compensation to members of Commissions, SPTs or similar bodies in the event of death, injury or illness attributable to service with the United Nations" (ST/SGB/103/Rev.1).
