

Comment
on the draft general comment of the Subcommittee on Prevention of Torture (SPT)
on the article 4 of the OPCAT (optional protocol to the convention against torture)

Em. Prof. Dr. Gerard de Jonge
Maastricht University
The Netherlands

1. The draft general comment considers **house arrest** (mentioned in **par. 14**) and **home confinement** (mentioned in **par. 38**) as places of deprivation of liberty, in compliance with the Optional Protocol.

2. I think the draft general comment should explain on what **legal basis** the SPT and the national preventive mechanisms would be entitled to visit the houses and homes of those who have been put under house arrest or home confinement without the **consent** of the persons who are deprived of their liberty there and what would be **the sense of those visits**