

Office of the High Commissioner for Human Rights  
Subcommittee on Prevention of Torture  
Ms Laetitia Colucci  
Palais des Nations  
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5 April 2023

National Agency  
for the Prevention  
of Torture

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General comment on Article 4 OPCAT

Dear Ms Colucci,

In reply to your email from 6 March 2023, the National Agency for the Prevention of Torture is very thankful for this General Comment on Article 4 OPCAT which represents a major contribution to a stronger effectivity and effectiveness of all National Prevention Mechanisms.

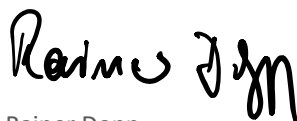
The National Agency always bases its mandate to visit places of deprivation of liberty on Article 4 OPCAT. Since the legal basis of the German NPM basically refers to Article 4, it gives a large room for interpretation and action as to the definition of "deprivation of liberty". Therefore, any comment strengthening the position of the National Agency is indispensable.

Presently, the National Agency can visit all facilities and institutions of its interest without any obstacles.

The National Agency regards this General Comment as very important and helpful for NPM work.

Please do not hesitate to contact us if you have any questions.

With excellent greetings



Rainer Dopp

State Secretary, retd.  
Chairman of the Commission of the  
States



Ralph-Günther Adam

Former senior civil servant and  
prison director  
Head of the Federal Agency