



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

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**Meeting of the States Parties**

**Fourth meeting**

Geneva, 28 October 2010

**Summary record of the 4th meeting**

Held at the Palais des Nations, Geneva, on Thursday, 28 October 2010, at 3 p.m.

*Chairperson:* Mr. Najafbayli .....(Azerbaijan)

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Election, in accordance with articles 7 and 9 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, of 5 members of the Subcommittee on Prevention to replace those whose terms of office will expire on 31 December 2010, as well as 15 additional members, in light of the entry into force of the Optional Protocol for the fiftieth State party on 24 September 2009, in accordance with article 5, paragraph 1, of the Optional Protocol (*continued*)

Other matters

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*The meeting was called to order at 3.05 p.m.*

**Election, in accordance with articles 7 and 9 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, of 5 members of the Subcommittee on Prevention to replace those whose terms of office will expire on 31 December 2010, as well as 15 additional members, in light of the entry into force of the Optional Protocol for the fiftieth State party on 24 September 2009, in accordance with article 5, paragraph 1, of the Optional Protocol**  
*(continued)*

1. **The Chairperson** announced the result of the vote for the fifth replacement member of the Subcommittee.

Number of ballot papers:	56
Number of invalid ballots:	3
Number of valid ballot papers:	53
Abstentions:	0
Number of representatives voting:	56
Required majority:	29
<i>Number of votes obtained:</i>	
Mr. Pross	25
Mr. Sarre Iguiniz	28

2. **Mr. Gómez Camacho** (Mexico), supported by **Mr. Schweppe** (Germany), said that he understood the phrase “representatives present and voting”, contained in rules 11 and 12 of the provisional rules of procedure, to mean representatives who had cast valid votes; the number of representatives voting in the election was therefore 53, which made the required majority 27. For that reason, Mr. Sarre Iguiniz, who had obtained 28 votes, should have been elected.

3. **Mr. Schmidt** (Senior Legal Adviser to the United Nations Office at Geneva) said that the secretariat did not share Mexico’s interpretation in light of the requirements set out in rule 15 of the rules of procedure. Since Germany had accepted Mexico’s interpretation, the secretariat was, however, prepared to let the election of Mr. Sarre Iguiniz stand if a majority of the representatives of States parties agreed. That exceptional procedure should, however be without prejudice to any future rounds of voting.

4. **The Chairperson** said that he would take it that the representatives of States parties wished to proceed in that manner.

5. *It was so agreed.*

6. *Mr. Sarre Iguiniz was elected member of the Subcommittee on Prevention.*

7. **Mr. Gillibert** (Secretary of the Subcommittee) reminded representatives that, in the next round of voting for the 15 additional new members, an absolute majority was required. It would be calculated on the basis of States present and voting; abstentions would modify the majority, but invalid ballot papers would not.

8. **Mr. Chocano Burga** (Peru), supported by **Mr. Gómez Camacho** (Mexico), said that the same rule should be applied throughout the voting process.

9. **Mr. Gillibert** (Secretary of the Subcommittee) said that it had been agreed that, for the previous round of voting, the Mexican delegation's interpretation of the provisional rules of procedure would, exceptionally, apply. He reiterated that the voting procedure to be used in the next round was that which he had outlined. However, if the representatives of States parties so wished, the exceptional procedure could also be applied in the next round of voting.

10. **Mr. Martínez Alvarado** (Guatemala) said that the normal rules of procedure should be applied in forthcoming rounds.

11. **The Chairperson** said that, in the absence of any objections, he would take it that the representatives of the States parties wished to follow the standard procedure.

12. *It was so agreed.*

13. **The Chairperson** invited delegations to elect by secret ballot the 15 additional members of the Subcommittee from the remaining 26 candidates not elected in the first round of voting. The ballot would be conducted in conformity with rules 14 and 15 of the provisional rules of procedure of the meeting (CAT/OP/SP/3).

14. *At the invitation of the Chairperson, Ms. Guillermet-Fernandez (Costa Rica) and Mr. Last (United Kingdom of Great Britain and Northern Ireland) acted as tellers.*

15. *A vote was taken by secret ballot.*

*The meeting was suspended at 3.45 p.m. and resumed at 5.04 p.m.*

16. **Mr. Gillibert** (Secretary of the Subcommittee) announced the results of the ballot. Fourteen of the 15 new members had been elected, but the 3 delegates, nominated by Bolivia (Plurinational State of), Burkina Faso and Guatemala had tied for the fifteenth seat with 30 votes each.

Number of ballot papers:	55
Invalid ballots:	0
Number of valid ballots:	55
Abstentions:	0
Number of representatives voting:	55
Required majority:	28
<i>Number of votes obtained:</i>	
Mr. Villavicencio Terreros	39
Mr. Lam Shang Leen	38
Ms. Amos	37
Mr. Pross	37
Ms. Salgado	37
Ms. Goddard	36
Ms. Jabbour	36
Ms. Muhammad	36
Mr. Michaelides	35
Mr. Klemenčič	34

Ms. Pressburger	34
Mr. Danielyan	33
Ms. Definis-Gojanović	33
Ms. Stancevska	31

17. *Having obtained the required majority, Ms. Amos (Estonia), Mr. Danielyan (Armenia), Ms. Definis-Gojanović (Croatia), Ms. Goddard (New Zealand), Ms. Jabbour (Lebanon), Mr. Klemenčič (Slovenia), Mr. Lam Shang Leen (Mauritius), Mr. Michaelides (Cyprus), Ms. Muhammad (Maldives), Ms. Pressburger (Brazil), Mr. Pross (Germany), Ms. Salgado-Alvarez (Ecuador), Ms. Stancevska (The former Yugoslav Republic of Macedonia) and Mr. Villavicencio Terreros (Peru) were elected members of the Subcommittee on Prevention.*

18. **Mr. Gillibert** (Secretary of the Subcommittee) invited States parties to take a tie-breaker vote to elect the remaining member of the Subcommittee. In accordance with rule 15 of the provisional rules of procedure, an absolute majority of States parties present and voting would be required to win.

19. *A vote was taken by secret ballot.*

*The meeting was suspended at 5.20 p.m. and resumed at 5.40 p.m.*

20. **Mr. Gillibert** (Secretary of the Subcommittee) announced the result of the vote.

*Number of votes obtained:*

Mr. Zongo	24
Ms. Justiniano de Reyes	16
Ms. Tevalán Castellanos	15

21. **Mr. Gillibert** (Secretary of the Subcommittee) announced that, as no candidate had obtained the required majority, a second vote would be taken between the two candidates with the most votes, in accordance with rule 15 of the provisional rules of procedure. An absolute majority of States parties present and voting would again be required to win.

22. *A vote was taken by secret ballot.*

*The meeting was suspended at 5.55 p.m. and resumed at 6 p.m.*

23. **Mr. Gillibert** (Secretary of the Subcommittee) announced the result of the vote.

Number of ballot papers:	55
Invalid ballots:	0
Number of valid ballots:	55
Abstentions:	0
Number of representatives voting:	55
Required majority:	28

*Number of votes obtained:*

Mr. Zongo	33
Ms. Justiniano de Reyes	22

24. *Having obtained the required majority and the largest number of votes, Mr. Zongo (Burkina Faso) was elected a member of the Subcommittee on Prevention.*

25. **The Chairperson** congratulated the newly elected members of the Subcommittee.

26. *Choice by lot by the Chairperson of the Meeting of the seven members of the Subcommittee on Prevention whose terms shall expire at the end of two years, as provided in article 9 of the Optional Protocol*

27. *The meeting decided by lot that Ms. Definis-Gojanović, Ms. Goddard, Ms. Jabbour, Mr. Klemenčič, Mr. Lam Shang Leen, Ms. Pressburger and Mr. Pross would serve for a term of two years.*

**Other matters**

28. **The Chairperson** said that he took it that representatives did not wish to raise any further matters and therefore declared closed the third Meeting of the States Parties.

*The meeting rose at 6.05 p.m.*