States parties are required to make such modifications to their national laws to protect obligations contained in the Convention. While putting in place a strong legal foundation is only one step in ensuring rights are fulfilled in practice, it is a critical foundation on which positive State practice can be built.

Various amendments to laws may be necessary. The following list is illustrative of the minimum legislative requirements which should be reviewed by States seeking to ratify or accede to the UNCAT, and more legal analysis may be required to understand exactly how each State should fulfil Convention provisions in their national law.

Secondary legislation, which may be drafted as regulations, practice documents, or other legal instruments, should add significant detail to supplement the principal legal texts.

- Torture and ill-treatment is absolutely prohibited in national laws and/or in the constitution
- A number of preventive safeguards are guaranteed in law (e.g. persons are given access to a lawyer promptly after detention; to contact family members and to a medical examination; all detainees are recorded in bound registers etc.)
- Redress is guaranteed for victims of torture and acts of cruel, inhuman or degrading treatment or punishment
- Torture is a criminal offence:
  - The definition of torture is in line with the international definition
  - Applies to all acts (or omissions) by commission, acts of complicity or other forms of participation, and to attempt
  - No defences apply to the crime of torture
  - The offence applies to all State actors, to those acting in an official capacity, and to private persons acting with the instigation, consent or acquiescence of State actors
  - Appropriate penalties take account of the serious nature of the offence
  - Torture is excluded from applicable periods of prescription or statutes of limitation
- Persons may not be removed to countries where they face a real risk of torture
- Evidence obtained by torture is prohibited in all proceedings
- Allegations or suspicions of abuse are promptly and impartially investigated by a competent body independent of the alleged offender
- Torture is an extraditable offence
- Mutual legal assistance shall be offered where an alleged perpetrator is prosecuted in another State