



Regional Seminar

“Promoting the implementation of the UN Convention against Torture and the Robben Island Guidelines: the obligation to criminalise torture”

Accra, Ghana, 5th and 6th April, 2016

Annotated agenda

La Palm Royal Beach Hotel

DAY ONE (5 April/Tuesday)	
Time	Agenda
0830-0900	Arrival and registration of participants
0900-1000	<p><u>Opening ceremony</u></p> <p>Introductory remarks by the Chair of the opening ceremony</p> <ul style="list-style-type: none"> Ambassador Sammie Eddico (on behalf of the CTI core group), Ambassador of Ghana to the United Nations in Geneva <p>Keynote</p> <ul style="list-style-type: none"> Her Excellency Mrs. Marietta Brew Appiah-Opong, Attorney General and Minister of Justice of Ghana <p>Remarks</p> <ul style="list-style-type: none"> Mr. Jean-Baptiste Niyizurugero, African Commission on Human and Peoples’ Rights, Vice-Chair of the Committee for the Prevention of Torture in Africa (CPTA) Mr. Mark Thomson, Secretary General, Association for the Prevention of Torture (APT), and moderator of the seminar working sessions
1000-1100	<p><u>Session 1:</u></p> <p>An overview of the key provisions of the UN Convention against Torture, the African Charter and the Robben Island Guidelines</p>





	<ul style="list-style-type: none"> • What are the key provisions of the UNCAT? – Mr. Jens Modvig, acting Chair of the UN Committee against Torture (15') • What are the key provisions of the African Charter and the RIG? – Mr. Jean-Baptiste Niyizurugero, CPTA Vice-Chair (15') • Why criminalise torture? – Mr. Andrea Ori, Regional Representative for West Africa, OHCHR (10')
1100-1130	<i>Coffee Break</i>
1130-1230	<p><u>Session 2:</u></p> <p>Constructing anti-torture legislation: what are the elements needed?</p> <ul style="list-style-type: none"> • Presentation of CTI and APT's <i>new</i> Guide on anti-torture legislation – Mr. Mark Thomson, APT and Ms. Alice Edwards, Head of CTI Secretariat (30') <p>The session will provide a summary of some of the primary, recommended and optional elements to be included in national laws to ensure compliance with the UN Convention against Torture.</p>
1230-1330	<i>Lunch</i>
1330-1530	<p><u>Session 3:</u></p> <p>Criminalizing torture and definitions: Learning from the experiences of States</p> <ul style="list-style-type: none"> • Burkina Faso, perspective from a country with pending legislation – Mr. Jean de Dieu Sawadogo, Counsellor, Ministry for Foreign Affairs (10') • CPTA, perspective from the CPTA – Mr. Malick Sow, CPTA Member (10') <p>The session will address the following questions:</p> <ul style="list-style-type: none"> ➤ <i>How have States defined torture?</i> ➤ <i>Have they included private actors? Have they criminalized cruel, inhuman or degrading treatment or punishment?</i> ➤ <i>What are the penalties foreseen for the crime of torture?</i> ➤ <i>What are the modes of liability foreseen for the crime of torture in national legislation?</i>
1530-1600	<i>Coffee Break</i>
1600-1800	<u>Session 4:</u>





	<p>Criminalizing torture and definitions, continued</p> <ul style="list-style-type: none"> • Madagascar, perspective from a country with legislation – Mr. Fabien Tombohavana, Magistrate, Director of Human Rights and International Relations, Ministry of Justice (10') • Namibia, perspective from a country with pending legislation – Ms. Yvonne Dausab, Chair of the Law Reform and Development Commission (10') <p>The session will address the following questions:</p> <ul style="list-style-type: none"> ➤ <i>What are the different types of jurisdiction provided for the crime of torture?</i> ➤ <i>Is the exclusionary rule included in national legislation? To which forms of evidence does it apply? Does it extend to cruel, inhuman or degrading treatment or punishment?</i> ➤ <i>Are there amnesty laws? Do they extend to the crime of torture?</i> ➤ <i>Does the crime of torture include statutes of limitations?</i> ➤ <i>When is an investigation triggered? What are the provisions on prosecution of alleged perpetrators?</i>
<p>1900</p>	<p>Ghanaian dinner hosted by the Government of Ghana</p> <p><u>Venue:</u> La Palm Royal Beach Hotel</p>
<p>DAY TWO (6 April/Wednesday)</p>	
<p>Time</p>	<p>Agenda</p>
<p>0900-1030</p>	<p><u>Session 5:</u></p> <p>Provisions on redress, extradition and <i>non-refoulement</i>: Learning from the experiences of States</p> <ul style="list-style-type: none"> • Nigeria, perspective from a law commission – Ms. Didi Odigie-Bedell, Director, Nigeria Law Commission (10') • REDRESS, perspective from the region – Ms. Carla Ferstman, Director (10') <p>The session will address the following questions:</p> <ul style="list-style-type: none"> ➤ <i>The right to redress: what does national legislation provide for victims? Does it extend to victims of cruel, inhuman and degrading treatment or punishment? Is the term “victim” defined?</i> ➤ <i>Is extradition foreseen in national legislation? On what basis?</i> ➤ <i>Have States included the principle of non-refoulement? What is the procedure?</i>





	<i>Does it extend to risks of cruel, inhuman or degrading treatment or punishment?</i>
1030-1100	Coffee Break
1100-1230	<p><u>Session 6:</u></p> <p>Views from States on legislative processes: challenges and achievements</p> <ul style="list-style-type: none"> • Togo, views from a State with amendments to a criminal code – Mr. Yaovi M. Marc Fiawonou, Magistrate, Attorney General’s Office (10’) • Ghana, views from a State with constitutional provisions, Ms. Mavis Amoa, Director of Legislative Drafting, Attorney-General’s Department and Mr. Ebenezer Appreku, Deputy Permanent Representative to the United Nations in Geneva (15’) • Role of parliamentarians – Mr. Steve Onwuasoanya, Human Rights Adviser, Human Rights Unit, Commonwealth Secretariat (10’) <p>The session will address the following questions:</p> <ul style="list-style-type: none"> ➤ <i>How did States adopt anti-torture legislation? Through a stand-alone law? Through amendments to criminal or other codes?</i> ➤ <i>How was the process: was it an initiative from the Parliament, the Executive, civil society?</i> ➤ <i>What were the mains challenges faced during that process?</i> ➤ <i>What advice can be provided to States considering adopting anti-torture legislation?</i>
1230-1330	Lunch
1330-1530	<p><u>Session 7:</u></p> <p>Views from other actors and institutions on legislative processes: challenges and achievements</p> <ul style="list-style-type: none"> • Uganda, perspective from an NHRI – Ms. Ruth Ssekindi, Director, Uganda Human Rights Commission (10’) • Kenya, perspective from an NGO – Mr. Vincent Odongo, Director, Shield for Justice Foundation (10’) • International Law Development Organisation (IDLO), perspective from an inter-governmental organisation – Ms. Enid Muthoni, Country Director, IDLO (10’) <p>The session will address the following questions:</p> <ul style="list-style-type: none"> ➤ <i>How did the legislative process evolve in-country: e.g. was it an initiative from</i>





	<p><i>the Parliament, the Executive, civil society, other?</i></p> <ul style="list-style-type: none">➤ <i>How were other actors and institutions involved in the legislative process?</i>➤ <i>What were the main challenges faced during that process?</i>➤ <i>What are the lessons learned from the experience?</i>
1530-1600	<p><u>Closing session</u></p> <p>Open discussion on how the CTI and other partners can provide further assistance to States</p> <p>Closing remarks – Ghana</p>
1600 onwards	<p><i>Organized visit in Accra</i></p>

