

Provisional programme

Sharing experiences and building capacity in the Caribbean: The Fair Administration of Justice and the UN Convention against Torture

Monday 4 – Wednesday 6 June 2018 | WP1618

To be held in St Lucia

The Caribbean region is made up of stable democratic countries committed to human rights, the rule of law and the fair administration of justice. At the same time, like countries in other regions, there remain challenges in terms of delivering good governance, tackling societal violence, as well as incidents of abuses of power and corruption by public authorities.

This regional workshop, being convened by the Convention against Torture Initiative (CTI), in partnership with Wilton Park, aims to support Caribbean States in overcoming some of the technical and capacity constraints that can prevent full engagement with the international human rights system. In particular, it will provide an opportunity for countries in the Caribbean and beyond to share experiences and exchange in discussion on national practices.

Objectives of workshop

The overall goal is to support cooperation and dialogue among countries of the Caribbean and beyond on torture prevention with a view to moving towards universal ratification of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and improved implementation. In particular, the workshop aims to:

- Explore experiences and good practices regarding ratification and implementation of UNCAT and its relationship with other important agendas.
- Exchange on the basic safeguards in respect of arrest and detention of suspects, including juveniles, and the latest techniques of criminal investigation such as questioning and interviewing suspects, witnesses and victims
- Share good management approaches in relation to law enforcement, custody arrangements and prison reform, including workable checks and balances.

The invitation only workshop will be conducted in English.

Convention against Torture Initiative (CTI) in partnership with Wilton Park.
(Speakers invited and themes proposed. * denotes to be confirmed)

Monday 4 June

1230-1345

Buffet lunch

1400-1600

Opening addresses by Attorney-Generals and Ministers of Justice. Law enforcement and the UN Convention Against Torture: opportunities and challenges

This opening session will provide an opportunity for reflection on the strong rule of law tradition in the Caribbean, with presentations focusing on frameworks and procedures currently in place to ensure effective and fair administration of justice. The session will also explore some of the shared challenges across the region in delivering justice, law and order and peaceful communities, and how ratifying and implementing UNCAT can support these endeavours. The Ambassadors of Chile and Ghana, among the countries spearheading the CTI, will also reflect on their own country's perspective of ratifying UNCAT.

Chaired by:

Dr Alice Edwards

Head of Secretariat, Convention against Torture Initiative (CTI), Geneva

Welcome remarks by:

HE Mr Eduardo Bonilla Menchaca

Ambassador of Chile in Jamaica and concurrent in Saint Lucia, Antigua and Barbuda, Bahamas, Dominica and Saint Kitts and Nevis

HE Mr Ramses Joseph Cleland

Ambassador and Permanent Representative of Ghana to the United Nations in Geneva

Keynote speakers include:

Hon Mr Elsworth N Johnson

Minister of State for Legal Affairs of the Bahamas

Hon Ms Kindra Maturine-Stewart

Minister of Justice of Grenada

Hon Ms Marlene Malahoo Forte

Attorney General of Jamaica

Hon Mr Jaundy Martin

Attorney General of Saint Vincent & the Grenadines

Hon. Ms Maureen Hyman

Senator/Parliamentary Secretary, Ministry of Justice and Legal Affairs/Public Safety of Antigua & Barbuda

1600-1645

Photograph followed by tea/coffee

1645-1715

Welcome and introduction

Julia Purcell

Programme Director, Wilton Park

Alice Edwards

Head of Secretariat, Convention against Torture Initiative (CTI), Geneva

1715-1830

1. Sharing good practices, perceptions and challenges around UNCAT ratification

Participant and expert *tour de table* on experiences, perspectives and challenges to ratification of UNCAT and sharing good practices. What are the key provisions of the UNCAT? How do these relate to regional instruments, in particular the Inter-American Convention to Prevent and Punish Torture? How to catalyse the ratification process? What are the main domestic challenges? And how can these be overcome? What are the experiences of States who have ratified and how to move the process forward?

Abdelwahab Hani

Member of the United Nations Committee against Torture, Geneva

Steve Onwuasoanya

Human Rights Advisor, Commonwealth Secretariat, London

Nazhat Shameen Khan

Ambassador Extraordinary and Plenipotentiary, Permanent Mission of the Republic of Fiji to the United Nations, Geneva

1830

Reception

1900

Opening dinner

Tuesday 5 June

Breakfast in hotel

0900-1030

2. Legal and policy frameworks, procedures and safeguards: what works and what doesn't?

Expert exchange on legal frameworks and good practice for preventing torture and abuse by public officials, with focus on the contexts of arrest and detention. Why are safeguards important? (Eg registration of arrest and detention, recording of interviews, place of detention, access for lawyers, access to medical examination, communication with family members). What are the specific challenges involved and what are the risks of getting it wrong? How to ensure that procedures take into account the needs of vulnerable groups?

Gonzalo Candia

Head of the Protection Department of the Under-Secretary of Human Rights of Chile, Government of Chile, Santiago

Danissa Cruz

Prosecutor, Director of the Human Rights Unit, Office of the Attorney General of the Republic, Dominican Republic

1030-1100

Tea/coffee

1100-1145

3. Professional standards in policing: learning lessons

How to support national police forces in developing professional standards with particular regard to the rule of law and human rights? What training is needed and how to develop capacity? What are the responsibilities for leadership and how to ensure engagement and 'buy-in' at a senior level? How to maintain high quality of recruitment and sustain standards? How to instil a culture of investigative interviewing and address a risky 'confessions based' approach, both within law enforcement and in public perceptions of police? What elements of common culture and legal traditions can be drawn upon to facilitate these changes?

Introduction in plenary

Terrence Williams

Commissioner, Independent Commission of Investigations (INDECOM), Kingston

Roland Phillip

Acting Assistant Commissioner of Police, Royal St Lucia Police Force

1145-1230

4. Good practice in prison reform

One of the main challenges reported by Caribbean States is prison overcrowding and conditions. How can States meet and apply consistent standards of safety and decency? How can the justice sector overall deal with prison overcrowding? What have been some of the good experiences of States in instituting prison reform, what have been some of the blocks? How can the latter be overcome?

Introduction in plenary

Cedrick DaCosta Moore

Assistant Superintendent of Prisons, Barbados Prison Service, St Philip

HE Mr Ramses Joseph Cleland

Ambassador and Permanent Representative of Ghana to the United Nations in Geneva

1230-1400

Buffet lunch

1230

Facilitator briefing

1400-1530

5. Developing good practice

Parallel breakout sessions:

Professional standards in policing and good practice: learning lessons

Good practice on prison reform

1530-1600

Tea/coffee

1600-1645

6. Reports from breakouts

1645-1815

7. Juvenile justice: taking account of vulnerability

What are the specific issues raised with regard to juvenile justice? How to ensure the needs of children and young people are taken into account – in arrest, custody and interviewing situations, as well as in handling their needs if convicted? What additional safeguards may be needed?

Gloria Augustus

Magistrate; Technical Specialist, Organisation of Eastern Caribbean States Commission (OECS), St Lucia

***Adolphus Delplesche**

Senior Prosecutor, Ministry of Legal Affairs, St Vincent and the Grenadines

1930

Dinner

Wednesday 6 June

Breakfast in hotel and checkout

0900-1030

8. Maintaining checks and balances: role of monitoring bodies

Research shows that there is no single cause for why torture and ill-treatment are committed. As a combination of political, economic, legal, cultural and social processes and structures create the conditions conducive to its use, this session ties together other important parts of the national system and their important roles in preventing such abuses and their repetition.

What role is there for monitoring or visiting bodies, complaints reporting frameworks (for both detainees and other officers), and protection for those who may challenge mistreatment or abuse? In what ways can the police, prisons officers and other officials be protected from false allegations? How to instil a culture of continuous improvement and motivate progress?

Winston Patterson

Ombudsman, Department of Public Information, Georgetown, Guyana

Gayethri M Pillay

Director of International Law and Human Rights Unit, Ministry of Foreign Affairs, Seychelles

1030-1100

Tea/coffee

1100-1110

Evaluation survey

Completion of online survey <https://www.smartsurvey.co.uk/s/wp1618/>

1110-1210

9. Maintaining checks and balances: roles of the lawyers, prosecutors and the judiciary

Continuation of discussion in preceding session.

What legal mechanisms can help to ensure transparency and accountability? And why are they important? What are the roles of lawyers, prosecution and courts in countering and responding to incidents (including through applying the exclusionary rule of non-admission of torture-tainted evidence in proceedings)?

Rupert Skilbeck

Director, The REDRESS Trust, London

George Abu-Al-Zulof

Senior Human Rights Advisor, UN Resident Coordinator Office

1210-1255

10. Concluding remarks and next steps

Alice Edwards

Head of Secretariat, Convention against Torture Initiative (CTI), Geneva

1255-1400

Buffet lunch

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