

CTI Seminar report out! Promoting humane laws and practices in the Pacific



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Geneva, 17 April 2019 - The Convention against Torture Initiative (CTI) today releases its report of the high-level regional Seminar on “*Ratification and implementation of the UN Convention against Torture in the Pacific: Supporting Pacific States with processes of legislative review and drafting anti-torture laws or amendments,*” held from 6-8 February 2019 in Natadola, Fiji.

The report identifies why momentum is building towards regional ratification and implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), including:

- There is strong interest in and political willingness to ratify UNCAT, as a treaty that reinforces Pacific values and strengthens the very foundations of Pacific societies.
- There are no legal obstacles to ratification. All Pacific Small Islands States (PSIDS) already have either constitutional guarantees against torture and ill-treatment and/or a range of legislation in place incorporating important elements of UNCAT.
- A vast network of support exists to assist PSIDS to ratify and implement UNCAT, including the Regional Rights Resource Team of the Pacific Community; the Secretariat of the Pacific Islands Forum; OHCHR; and CTI.

The CTI recently welcomed [Samoa](#) as the latest Pacific State to accede to UNCAT on 28 March 2019, helping to drive this momentum and inspire others.

The report reflects the experiences of Pacific States and identifies a number of good practices for ratification and legislative implementation of UNCAT:

- Ratification should be guided by an overarching policy commitment to the prohibition against torture and ill-treatment. Contrary to common belief, no perfect legal or institutional frameworks are required prior to ratification. Instead, ratification is the first step in a journey towards gradual improvement. Important is a genuine commitment to wanting to do better.
- Carrying out a legal and policy analysis of UNCAT, and identify the necessary steps for ratification and implementation. The [CTI Ratification tool](#) was acknowledged as a useful resource to assist States in this respect.
- Law reform should ensure comprehensive incorporation of UNCAT provisions into domestic law, while being tailored to domestic circumstances. No single approach is recommended, though there are many examples of good legislation from the wider region.
- Independent complaints mechanisms, the use of audio/ video recording of police interviews and the exclusion of evidence obtained under torture or other ill-treatment by an independent judiciary are key features in several PSIDS which strengthen law enforcement and justice, while at the same time contributing to preventing torture and ill-treatment.

“The Pacific is a region of strategic importance in accelerating full and effective ratification and implementation of the Convention globally. All PSIDS are in a good position to ratify and implement UNCAT and I hope this report will be a useful resource in their journeys. CTI is available to support Pacific States and they are encouraged to be in touch with us,” said Dr Alice Edwards, Head of CTI Secretariat.

Background

The high-level Seminar was hosted by the Government of Fiji, and organised in partnership with the Regional Rights Resource Team of the Pacific Community and the Universal Rights Group. It brought together more than 60 participants, including Ministers of Justice and Attorneys General from Republic of Fiji, Republic of Kiribati, the Federated States of Micronesia, Republic of Palau, the Independent State of Samoa, the Kingdom of Tonga and the Republic of the Marshall Islands, as well as senior experts from Nauru, Papua New Guinea, Solomon Islands and Tuvalu. Six other countries also actively participated.

For governments interested in advice or technical assistance, or learning more about CTI’s work in the Pacific, please contact info@cti2024.org.

The report is available in English [here](#).

The event programme is available [here](#).

CTI’s Ratification Tool can be found [here](#).

The APT – CTI Guide on anti-torture legislation is available [here](#).

