



CTI Annual Forum 2018

70th Anniversary of the Universal Declaration of Human Rights: what next in tackling torture and ill-treatment?

Thursday 29 November 2018

Maison de la Paix, Graduate Institute, Geneva

Report

Background and objectives

1. The Convention against Torture Initiative (CTI) held its fourth Annual Forum on Thursday, 29 November 2018 at the Graduate Institute in Geneva.
2. The CTI Annual Forum provides an opportunity for members of CTI's [Group of Friends](#) and other invited guests to hear about CTI's progress, provide input and advice on upcoming activities, and to discuss good practices and challenges concerning the ratification and/or implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT). Additionally, the Annual Forum allows for an in-depth discussion on a priority issue with participants.
3. The 2018 Forum discussed the way forward in tackling torture and ill-treatment in the context of the 70th anniversary of the Universal Declaration of Human Rights (UDHR or Declaration), as well as CTI's [2018-2020 Strategy](#) (See Annex I for the full programme). Over the past 70 years, the absolute prohibition against torture as first articulated in article 5 of the Declaration and adopted by consensus in 1948, has become a core principle of customary international law and is one of few norms that has attained peremptory status, against which no derogation is permitted. The prohibition is enshrined in regional and international treaties, most notable amongst them UNCAT, adopted in 1984 and entered into force in 1987.
4. Over 60 participants joined the discussions, made up of 27 States, including 16 Ambassadors and Permanent Representatives, alongside representatives from 11 international and non-governmental organisations, and a number of experts on the prevention of torture (see list of participants attached in Annex II).

2018, a year of milestones and anniversaries

5. In his opening remarks on behalf of the five CTI core States, namely Chile, Denmark, Ghana, Indonesia and Morocco (See Annex III for opening remarks), H.E. Hasan Kleib, Permanent Representative of Indonesia to the UN in Geneva, highlighted the significance of the 70th anniversary of the UDHR, and in particular article 5 of the declaration, as the “UN’s first modern statement on the prohibition against torture and other cruel, inhuman or degrading treatment or punishment”. He also recalled that it has been 40 years since the establishment of the Trust Fund for Victims in Chile which later became the United Nations Voluntary Fund for Victims of Torture, and 30 years since the first review of a State report by the Committee against Torture. These milestones invite reflection of what has worked and what has not worked to date to eradicate torture, to identify the remaining challenges and discuss ways forward for universal ratification and active implementation of the obligations and ideals contained in the Convention.

A view from CTI: Making progress on the 2018-2020 Strategy

6. The Permanent Representatives of Ghana, H.E. Ramses Joseph Cleland, of Chile, H.E. Juan Eduardo Eguiguren, and of Denmark, H.E. Morten Jespersen, presented on the progress made in 2018 to advance CTI’s 2018-2020 Strategy and to achieve universal ratification and active implementation of UNCAT by 2024 (see Annex IV – VI for relevant full remarks).

The 2018 – 2020 Strategy:

7. The CTI Core States highlighted why the CTI is placing particular emphasis on UNCAT ratification, inter alia because: (i) universal ratification will consolidate the international consensus on the prohibition of torture and zero tolerance of such practices; (ii) the Convention provides a practical guide for States on how to prohibit, prevent and respond to torture and ill-treatment, which can be adapted to the domestic context in order to strengthen the rule of law and the fair and effective administration of justice; (iii) public and open consultations leading up to ratification of the Convention, and the review process through reporting to the UN Committee against Torture, can galvanise support for improvements and reforms of relevant policies, laws and practices. A key component of the 2018-2020 Strategy will be to use CTI’s technical and capacity–building work, as well as its bilateral and multilateral engagement at capital level and through the CTI Core States’ and Friends’ network of embassies globally, to encourage ratification and implementation. This will include an enhanced programme of in-country visits, as well as peer-to-peer regional meetings and technical seminars. CTI’s collaboration with the Governments of The Bahamas and The Gambia, both of which ratified in 2018, are examples of how CTI can support governments seeking to ratify and implement the Convention.

2018 Achievements:

CTI highlights in 2018 included:

- Achieving CTI’s goal of 3 ratifications in 2018: participants applauded the newest parties to the Convention, namely the Republic of the Marshall Islands (March 2018), the Commonwealth of the Bahamas (May 2018) and The Gambia (September 2018). This raises the number of States parties to UNCAT from 154 when the CTI started in 2014, to 165 by the end of 2018. Speaking from the floor, representatives of the Bahamas and The Gambia thanked CTI for its support in the lead up to ratifying UNCAT.
- Participation of more than 80 States, represented at senior level, in CTI’s events throughout 2018, demonstrating growing interest in engaging on this issue and of collaborating with CTI with a view to ratifying and implementing UNCAT. Two major regional events: the first held in Copenhagen in March for the Council of Europe region on ways to address and respond to torture and other abuse during police custody and pre-trial detention; the second held in Gros Islet, Saint Lucia for Caribbean countries on the fair administration of justice and UNCAT.
- A technical workshop in October in Dakar, Senegal, on the legislative drafting of anti-torture laws for francophone African States.
- Diplomatic visit to The Gambia, as well as two technical seminars on UNCAT held in Sudan and The Gambia.
- Throughout 2018, CTI engaged with the human rights mechanisms of the UN, and assisted State parties with the implementation of UNCAT, including through the preparation of its “Implementation Tools”, showcasing good State practices on several aspects of the Convention, and which are available on CTI’s [website](#) in various languages. In 2018, two new tools were added, on “[Non-Refoulement procedures and safeguards](#)” and “[Providing rehabilitation of victims of torture and ill-treatment](#)”, which compile more than 50 State good practices.

Discussion

8. As the floor was opened to questions and comments, several States provided inputs by highlighting their contributions to CTI’s goals as members of the Group of Friends. The growing number of States and others joining CTI’s Group of Friends reflects a spirit of collaboration and solidarity in moving towards universal ratification and active implementation. It allows CTI to rely on an increasing network of support and opens up pathways to encourage States to ratify UNCAT, for instance through diplomatic meetings, and engaging Ambassadors and human rights experts of CTI’s Friends. Contributions by State Friends of CTI in 2018 included:
 - Emphasizing the absolute prohibition of torture in relevant bilateral meetings at ministerial level to raise awareness;
 - Support by funding capacity building of police and military personnel on international humanitarian law and the use of force in several post-conflict countries;
 - Assisting CTI activities through political, logistical, financial and practical support;
 - Supporting the anti-torture agenda in United Nations fora.

9. Several participants welcomed that CTI is working on both ratification and implementation of UNCAT. They mentioned CTI's work on introducing relevant anti-torture legal frameworks, and supporting States with technical know-how on various aspects of UNCAT. Reference was made to how UNCAT is important to rehabilitation of victims or UNCAT's application to the protection of migrants.

What next in tackling torture and ill-treatment?

10. The highlight of the 2018 Annual Forum was an interactive dialogue on the achievements and progress made over the past 70 years, and remaining challenges. The panel was composed of H.E. Carla María Rodríguez Mancía, Permanent Representative of Guatemala to the UN in Geneva; Professor Nils Melzer, UN Special Rapporteur on Torture; Dr. Carla Ferstman, Senior Lecturer at the University of Essex (See Annex VII for biographies of the speakers); and was facilitated by Dr. Alice Edwards, Head of CTI Secretariat.

What has worked?

11. Professor Nils Melzer, who had examined this issue in his 2018 [report](#), stated that looking back at the last 70 years, the protection from torture is the human right which enjoys the strongest recognition. He underscored that unprecedented efforts have been made by States and all stakeholders to make that prohibition a reality, through normative and institutional frameworks such as treaties, customary laws and national legislation. He added that the international community has also advanced on reaching a consensus around the definition of torture, and that even though some treaties use different terminologies, by and large, there is a consolidated concept of the meaning of torture as reflected in UNCAT. The Convention furthermore gives clear instructions on how to give effect to the prohibition of torture and ill-treatment, through prevention, prosecution, redress, punishment, and not benefiting from the results of torture. By ratifying, States undertake to comply with the UNCAT framework. He also made reference to other institutions such as the National Prevention Mechanisms contained in OPCAT, the Special Rapporteur's mandate, regional institutions and anti-torture frameworks. These are all reasons to have an overall positive assessment on how far we have come, he said, notwithstanding the challenges.
12. These achievements were possible also due to efforts from civil society. Dr. Carla Ferstman highlighted that one of the the biggest achievements and strengths of civil society organisations over the past decades has been the creation of a movement of solidarity, resulting in a growing global movement against torture. The role of NGOs in fighting torture is immense and operates on a daily basis, within and across regions. NGOs help each other on challenges such as urgent medical treatment, but also through providing legal support to victims, and campaigning for accountability across borders. She also mentioned that NGOs support each other when facing security concerns, so that no NGO feels isolated in dealing with the difficulties they have to face. At the State level, there appears to be a recognition of the essential role of NGOs in the social, medical and legal spheres to prevent torture, and of the need to maintain a dialogue between governments and CSOs, while preserving the latter's independence.

What are the key challenges in tackling torture and ill-treatment?

13. Ambassador Rodriguez highlighted that implementation of UNCAT by all States parties at the domestic level remains challenging. This includes the challenge of reporting to the Committee against Torture. While this can be extremely helpful to identify progress made as well as shortcomings, capacity constraints can quickly result in delays in reporting. This is particularly true for countries that have ratified all of the core human rights treaties with several reporting obligations. Another challenge is fostering public trust in State institutions, in particular in post-conflict countries where State actors, alongside non-State actors, have been responsible for violations. Overall, a lack of capacity to adequately resource law enforcement and the justice sector, and the need to rely on private service providers, can cause problems, as evident for instance by treatment of prisoners, and overcrowding of prisons and detention centres. These challenges however, are shared by many States, in turn requiring States to work more closely together and to share experiences and good practices.
14. Professor Melzer referred to the many challenges listed in his report. He considered that the basis of all challenges is insufficient ratification of UNCAT. He also called attention to national implementation gaps at the normative level, as well as to evasive policies which insufficiently protect citizens from non-State actors. Some States still have restrictive interpretations of ill-treatment, and use inappropriate interrogation techniques. One of the key challenges is to change the mindset of public authorities. He noted that some people still believe that there are benefits to torture in terms of obtaining information and evidence, making it more challenging to convince them to stop using torture as a tool. This is why authorities need to be given an alternative, and why States need to enhance training of law enforcement and other stakeholders in non-coercive interviewing, rather than trying to confirm suspicions. In addition, corruption is a key driver of ill-treatment and torture, and he mentioned that this will be the subject of his first thematic report in 2019, to be presented at the February / March 2019 session of the Human Rights Council.¹
15. Dr. Ferstman highlighted that realizing rights of victims of torture is central to today's challenges. Since the adoption of UNCAT, there has been a shift from perceiving a victim of torture as someone deserving charity to progressively understanding that victims have rights. The challenge is to implement the rights of victims in practice, by making them active members of society, and empowering them legally, socially and politically. We are only at the beginning of learning how to achieve this. The second challenge is how to protect the absolute prohibition of torture against notions of exceptionalism, which usually result in impunity for acts of torture and ill-treatment and hinder access to reparation for victims.

Discussion

During the subsequent round of discussion, participants raised a number of issues, including:

¹ The Special Rapporteur's report examining the relationship between corruption and torture or ill-treatment has been published since, A/HRC/40/59, 16 January 2019, available at: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/40/59.

16. More needs to be done to highlight not only State obligations and individual rights, but also the detrimental impacts of torture on individuals, families and on societies. It was suggested that this will help prevent torture, reduce impunity and enhance rehabilitation of victims. Communication strategies must therefore be developed to change existing mindsets and make people understand how damaging torture is. In Ghana, for instance, a TV programme on the overcrowding of prisons which generated public outcry pushed the government to take action in improving the situation of detainees.
17. The fight against torture should be linked to development goals and objectives. In moving forward on its strategy, and recognizing that torture can also be prevented by tackling poverty and corruption, it was recommended that CTI and its Group of Friends join the dots between corruption, poverty, marginalisation and torture, in order to make it a priority in the SDGs framework.
18. A need for greater capacity building of government officials around the world on, for instance, proper practices of restraining, on the use of force and on interviewing.

Closing

19. On behalf of the CTI core States, H.E. Omar Zniber, Permanent Representative of Morocco, delivered closing remarks. He stated that CTI is on the right track to achieve its objectives, and that clearly much has been learned over the past 70 years on how to operate fairer justice systems, on methods of interrogation that are humane and effective, and on how rehabilitation and reconciliation can lead to sustainable peace. The challenges identified require the mobilization of all stakeholders, including States, experts as well as civil society.

**CTI Secretariat
February 2019**

Annex I: Programme

Programme

The event will be facilitated by Dr. Alice Edwards, Head of the CTI Secretariat

10:30 – 11:00 Registration

11:00 – 11:05 Welcome and Opening Remarks H.E. Ambassador Hasan Kleib, Permanent Representative of Indonesia to the UN in Geneva

11:05 – 12:00 A view from CTI: Making progress on the 2018-20 Strategy H.E. Ambassador Ramses Joseph Cleland, Permanent Representative of Ghana to the UN in Geneva; H.E. Ambassador Juan Eduardo Eguiguren, Permanent Representative of Chile to the UN in Geneva; H.E. Ambassador Morten Jespersen, Permanent Representative of Denmark to the UN in Geneva

Includes a discussion with the CTI Ambassadors

12:00 – 12:55 Interactive Dialogue, followed by discussion: What next in tackling torture and ill-treatment?

After 70 years of international consensus on the prohibition of torture and ill-treatment, this interactive dialogue will seek to reflect on how far we have come as an international community, and with a future orientation, take stock of good practices and measures taken to address current trends and challenges. The session will be guided by the following over-arching questions:

- (i) From UDHR to UNCAT and beyond: how far have we come in preventing and eradicating torture? What has worked, what hasn't?
- (ii) What are some of the key challenges and how can we collectively address those?
- (iii) Outlook: what might the landscape regarding torture and ill-treatment look like in the years ahead?

Invited panelists:

- H.E. Ambassador Carla María Rodríguez Mancia, Permanent Representative of Guatemala to the UN in Geneva
- Professor Nils Melzer, UN Special Rapporteur on Torture
- Dr Carla Ferstman, Senior Lecturer, University of Essex, United Kingdom

12:55 – 13:00 Closing remarks H.E. Ambassador Omar Zniber, Permanent Representative of Morocco to the UN in Geneva

13:00 – 14:00 Lunch

Annex II: List of participants

In alphabetical order

States

H.E. Ambassador Akech Chol Ahou Ayok, Deputy Permanent Representative of South Sudan to the UNOG

Ms. Lorraine Anderson, First Secretary, Permanent Mission of Canada to the UNOG

Ms. Müge Ant, Counsellor, Permanent Mission of Turkey to the UNOG

H.E. Ambassador Massimo Belleli, Deputy Permanent Representative of Italy to the UNOG

H.E. Ambassador Chad Blackman, Permanent Representative of Barbados to the UNOG

H.E. Ambassador Ramses Joseph Cleland, Permanent Representative of Ghana to the UNOG

Ms. María Alejandra Costa Prieto, Deputy Permanent Representative of Uruguay to the UNOG

H.E. Ambassador Zbigniew Czech, Permanent Representative of Poland to the UNOG

Mr. Alexander Da Costa, Deputy Permanent Representative of The Gambia to the UNOG

Ms. Signe Dam, First Secretary, Permanent Mission of Denmark to the UNOG

Ms. Sasha Dixon, Second Secretary, Permanent Mission of The Bahamas to the UNOG

H.E. Ambassador Juan Eduardo Eguiguren, Permanent Representative of Chile to the UNOG

Ms. Asmaa El Kamchi, First Secretary, Permanent Mission of Morocco to the UNOG

H.E. Ambassador Andreano Erwin, Deputy Permanent Representative of Indonesia to the UNOG

H.E. Carlos Mario Foradori, Permanent Representative of Argentina to the UNOG

Ms. Paula González, Second Secretary, Permanent Mission of Chile to the UNOG

Mr. Osman Hassan Mohamed Hassan, Counsellor, Permanent Mission of Sudan to the UNOG

Mr. Lukas Heinzer, First Secretary, Permanent Mission of Switzerland to the UNOG

H.E. Ambassador Margarida Izata, Permanent Representative of Angola to the UNOG

H.E. Ambassador Morten Jespersen, Permanent Representative of Denmark to the UNOG

H.E. Hans Peter Jugel, Deputy Permanent Representative of Germany to the UNOG

H.E. Ambassador Yackoley Kokou Johnson, Permanent Representative of Togo to the UNOG

H.E. Ambassador Yusupha Alieu Kah, Permanent Representative of The Gambia to the UNOG

H.E. Ambassador Hasan Kleib, Permanent Representative of Indonesia to the UNOG

H.E. Ambassador Rosemary McCarney, Permanent Representative of Canada to the UNOG

Mr. Ian McKay, Attaché, Permanent Mission of the United States to the UNOG

Mr. Irwansyah Mukhlis, Counsellor, Permanent Mission of Indonesia to the UNOG

Ms. Doaa Nofal, Third Secretary, Permanent Observer Mission of the State of Palestine to the UNOG

Mr. Joseph Owusu-Ansah, Counsellor, Permanent Mission of Ghana to the UNOG

Mr. Michael Pfeifer, Attaché, Permanent Mission of Austria to the UNOG

H.E. Ambassador Carla María Rodríguez Mancía, Permanent Representative of Guatemala to the UNOG

Ms. Verity Robson, Counsellor, Permanent Mission of the United Kingdom to the UNOG

H.E. Ambassador Carla Serazzi, Deputy Permanent Representative of Chile to the UNOG

Mr. Ahmed Ulutas, Counsellor, Permanent Mission of Turkey to the UNOG

H.E. Ambassador Alaa Youssef, Permanent Representative of Egypt to the UNOG

Mr. Carlos Henrique Zimmerman, Second Secretary, Permanent Mission of Brazil to the UNOG

H.E. Ambassador Omar Zniber, Permanent Representative of Morocco to the UNOG

Experts

Ms. Essadia Belmir, Member, UN Committee against Torture

Dr. Carla Ferstman, University of Essex

Mr. Abdelwahab Hani, Member, UN Committee against Torture

Ms. Debra Long, University of Bristol Human Rights Implementation Centre

Mr. Nils Melzer, UN Special Rapporteur on Torture

Mr. Mark Thomson, former Secretary General of the Association for the Prevention of Torture

International organisations

Ms. Ivana Machnonova Schellongova, Office of the High Commissioner for Human Rights (OHCHR)

Mr. João Nataf, Secretary, Subcommittee for the Prevention of Torture, OHCHR

NGOs

Mr. Samuel Herbert Nsubuga, African Center for Treatment and Rehabilitation of Torture Victims

Ms. Barbara Bernath, Association for the Prevention of Torture (APT)

Ms. Marie Salphati, Fédération Internationale des Action des chrétiens pour l'abolition de la torture (FIACAT)

Mr. Ian Seiderman, International Commission of Jurists (ICJ)

Ms. Miriam Reventlow, International Rehabilitation Council for Torture Victims (IRCT)

Mr. Victor Madrigal Borloz, International Rehabilitation Council for Torture Victims (IRCT)

Mr. Gisle Kvanvig, Norwegian Centre for Human Rights (NCHR)

Mr. Neil Corney, Omega Research Foundation

Gerald Staberock, Secretary General, Organisation mondiale contre la torture (OMCT)

Mr. Thomas Kagwe Mbugua, Shield for Justice Foundation

Marc Limon, Executive Director, Universal Rights Group (URG)

CTI Secretariat

Ms. Laura Blanco, Legal Researcher

Mr. Othman Boucetta, Ratification Adviser

Ms. Charlotte Diserens, Office Manager

Dr. Alice Edwards, Head of the Secretariat

Ms. Mariam Ismail, Projects Officer

Mr. Juergen Schurr, Senior Programme Manager

Annex III: Ambassador Hasan Kleib's opening remarks- *check against delivery*

Excellencies, distinguished panelists, Madam Facilitator, ladies and gentlemen, dear friends of the Convention against Torture Initiative,

On behalf of the CTI Core States of Chile, Denmark, Ghana, Morocco and my own country, Indonesia, I am delighted to be able to welcome you all to this year's Annual Forum.

This year's Forum coincides with a number of important milestones, the most significant of which is the 70th anniversary of the Universal Declaration of Human Rights.

Article 5 of the Universal Declaration was the UN's first modern statement on the prohibition against torture and other cruel, inhuman or degrading treatment or punishment. It was one of several articles that were adopted unanimously by the 58 States participating in the adoption meeting on 10 December 1948 at the Palais de Chaillot in Paris.

Many UN and regional treaties now protect persons from torture and other ill-treatment. International legal developments since 1948 have been significant. Today, we are here to focus on one of these developments, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), as well as its Optional Protocol. UNCAT was adopted to give a specific voice to this issue, and which now enjoys the support of 165 States parties – a remarkable achievement and a strong recognition of the absolute character of this important international norm.

For CTI's part, together with our friends and partners, we are working collaboratively to take this vision of an absolute prohibition against torture forward through the CTI.

The Convention against Torture Initiative or CTI is a cross-regional, 10-year inter-governmental initiative, with the purpose to facilitate technical advice, support and cooperation among States to help them overcome obstacles to ratification and/or implementation of UNCAT. Our ultimate vision is that by 2024, all UN Member States will be party to this instrument, and will be actively implementing it.

You will hear from my fellow CTI Ambassadors about the progress we have been making in reaching our vision shortly.

2018 also marks two other important milestones relevant to preventing and addressing torture and inhuman treatment. It has, for example, been 40 years since the Trust Fund for Victims in Chile was established in 1978, which later transformed into the United Nations Voluntary Fund for Victims of Torture, as well as 30 years since the Committee against Torture reviewed its first State report. So many anniversaries - You could even say we are a little fixated on anniversaries at the CTI! And maybe also within the UN system!

Nonetheless, anniversaries present good opportunities for reflection – on changes and reforms that have worked, things that may not have worked as we would have hoped, and how we might adapt

our practices to changing circumstances, the latest technology and the ever more complex and inter-connected world we live in.

Yet even as it is a more complex world, there are some things that stay true – torture is never excusable or permissible in any setting or situation.

At this year's Annual Forum, we are being challenged to reflect on how far have we come in preventing and eradicating torture? What has worked, what hasn't?

What are some of the key challenges and how can we collectively address those?

And what is the outlook: what can we each do to reach universal ratification, and actively implement the ideals as well as the concrete obligations we have signed up to?

I am delighted that we are joined today by our distinguished panel - the Ambassador and Permanent Representative of Guatemala Her Excellency Carla María Rodríguez, the UN Special Rapporteur on Torture Mr. Nils Melzer and Dr. Carla Ferstman from Essex University in the United Kingdom. They have generously agreed to give us their thoughts and ideas for how to take this agenda forward, and to help prompt our conversations this afternoon. I thank them sincerely for their time and expertise.

Let me end with the words of the great Ghanaian statesman, and former UN Secretary General, the late Kofi Annan,

“Fighting torture and inhuman treatment is an individual and collective responsibility that requires all of us to rise up whenever these rights we hold dear are sacrificed on the altar of national security, economic imperatives or any other reason”.

The meeting is open. I will now pass the floor to Dr. Alice Edwards, Head of the CTI Secretariat, to take us through today's agenda.

Annex IV: Ambassador Cleland's remarks – *check against delivery*

Excellencies, distinguished delegates, Madam Facilitator, experts, CTI friends and partners, ladies and gentlemen,

We have the task to share with you some of the CTI's achievements in 2018.

In the spirit of today's discussions focusing on the Universal Declaration, we will also take this opportunity to reflect on our strategy and approach in achieving our goals – of universal ratification by 2024, and a reduction in incidents of torture and ill-treatment through active implementation of the Convention.

I will start by elaborating on CTI's approach as well as some of the new elements of our 2018-20 Strategy, before handing over the floor for latest ratification updates from Ambassador Eguiguren. Ambassador Jespersen will follow, and share some of this year's highlights in terms of supporting States in the very practical areas of implementation. For a fuller account of all our 2018 activities, I would refer you to our forthcoming Annual Report.

Turning to the CTI approach and what we have learned so far ...

Four years ago our five governments launched the CTI here in Geneva. During this short 4-year period, the CTI approach has been welcomed by many interlocutors, as a new way of doing business. CTI's approach is State-led, cross-regional and seeks to bring interested States together – often in regional settings sharing similar legal traditions and challenges. We also pursue a programme of bilateral exchanges and visits, and provide technical assistance and capacity-building support through the CTI Secretariat.

Our approach is built on the values of international cooperation, mutual respect and equality between States, through which we can listen and share amongst States. The Initiative benefits from the expertise of our many friends and partners. We currently count amongst our Group of Friends, 40 UN Member States, leading international, regional and national organisations and anti-torture experts. If you haven't already "officially" joined us, please do get in touch.

Our approach is diplomatic – we work at States' own pace, responding to requests for support, addressing key concerns, and identifying opportunities. We neither name nor shame, as none of us can claim to have a totally clean history in this area. That said, we recognise that we could all do better and that there is value in sharing our experiences through constructive dialogue.

Through this format, we have raised awareness of the global prohibition against torture, and the benefits for the State and her citizens in ratifying and implementing the Convention. This has led to political commitments as well as legal and practical reforms, in a growing number of countries.

CTI's approach is not the only way to tackle these issues, of course. There are many actors working in this fundamental area of human rights that take different approaches to the CTI, and who are also

making significant contributions to preventing, responding to and eradicating the source of ill-treatment. I am pleased that many of them are with us today.

At an event in June this year at the Palais, we released our second strategy, covering the period 2018-20. This strategy learns from our past engagement with States and others, and aims to build on our support for States to ratify and implement the UN Convention against Torture. The strategy benefits from many conversations we had with various stakeholders, including our own CTI Ambassadors' retreat, as well as a retreat with international and non-government organisations and experts in Glion sur Montreux. Hard copies have been made available in multiple languages at the entrance.

In 2018-20, we intend to enhance our technical and capacity-building work, as well our capital-level engagement. Regarding the latter, we have found governments are especially interested in having direct discussions with CTI at national level. This allows key decision-makers to take the lead domestically, but it also allows a greater array of relevant officials and other stakeholders to be part of the conversation. We will be working more concertedly through our own embassies abroad, as well as reaching out to CTI's States Friends in-country. We have to date had very strong cooperation with CTI's Friends in the various countries we have visited, and we are extremely grateful for that level of cooperation.

In February this year I had the privilege to participate in such a visit, when Ghana's Deputy Minister of Foreign Affairs, Honourable Charles Owiredu led a delegation to The Gambia. Capitalising on the new government and a President oriented to human rights ideals, and travelling with a peaceful purpose, the delegation discussed the UN Convention, the key obligations it entails, and spoke candidly about the many challenges facing the country and how UNCAT ratification could contribute to strengthening the rule of law. The Gambia stood by their word, and on 28th September this year, in the margins of the UN General Assembly, they became the 165th State party to the Convention.

Last month, the CTI Secretariat carried out a follow up seminar for over 40 government officials, prosecutors, magistrates and judges, as well as staff of the newly formed Truth, Reconciliation and Reparations Commission. This seminar was part of a post-ratification package. In opening the seminar, the Gambia's Minister of Justice, Honorable Abubacarr Tambadou, acknowledged the importance of the Convention, and I quote, "to [help] put in place a new and resilient architecture to uphold the highest standards when it comes to human rights, justice and rule of law." End of quote.

The Gambia is one of the good news stories. We look forward to celebrating more stories like this one. Let us congratulate them on their ratification and the steps they have already taken towards implementing the Convention.

I would now invite Ambassador Eguiguren to speak further on our ratification goals.

Annex V: Ambassador Eguiguren's remarks- *check against delivery*

Excellences, ladies and gentlemen,

In 2018, we set ourselves a goal of 3 new ratifications. I'm extremely pleased to announce that this year's goal has been met, thanks to the praiseworthy decisions of the **Republic of the Marshall Islands, the Commonwealth of the Bahamas and The Gambia**, which you just heard about.

Join me in congratulating each of them on these recent ratifications [start applause].

As a recap, when we started the CTI in 2014, there were 154 UNCAT States parties, and 41 States that were not party. Now, **at the end of 2018**, we have reached 165 States parties. Only 30 States have yet to ratify UNCAT. Of these 30, 6 have signed the Convention.

The CTI and our friends are working with a number of these countries, and the interest in ratification is growing. Almost all of the non-States-parties have participated in CTI events or meetings, and with some we have had closer collaboration, including through country visits, seminars and bilateral discussions.

To reach our 2024 deadline though, we will need to bolster the pace of ratifications in the next few years. We look forward to hearing from the interactive panel and yourselves on how this may be advanced.

But let us pause and remind ourselves briefly why we are focusing on ratification.

For the CTI Core States, and the many other States supporting our efforts, **one of the main challenges** affecting the absolute prohibition against torture and ill-treatment envisaged in the Universal Declaration is the **lack of universal participation in the Convention**. The Special Rapporteur on Torture, Mr. Nils Melzer, in his report to the General Assembly this year, and who we will hear from shortly, has also noted that the "incomplete adoption of the international framework" against torture is a "primary concern".

So, why is being a State party important? Let me offer you five reflections.

First, reaching universality would reflect an undisputed international view that torture as a practice is unacceptable in all its forms. This would further be strengthened by the withdrawal of remaining reservations. The UNCAT - as **the** subject-specific treaty, - is a particularly important marker in its own right of a global consensus against such harm.

Second, ratifying UNCAT sends a strong political message – internationally and regionally, but also and most importantly, nationally. A zero tolerance policy tells the world as well as a country's citizens and residents that their governments do not tolerate such practices and that they will be safe in their communities.

Third, the Convention provides a clear and practical guide on how States can achieve this, which can be tailored to national contexts. In other words, for the police, the military, correctional services and other authorities, it offers a practical roadmap for legal and institutional good practices. UNCAT

strengthens the rule of law and the fair and efficient administration of justice, which we know from our own countries are the bedrock to sustainable national development. Contrary to some views, CTI's experience to date has been that law enforcement and prison personnel, once they understand and appreciate what UNCAT is trying to achieve, are among the strongest supporters, because they can see its practical relevance to their daily work.

Fourth, through holding public consultations in preparation for ratifying the Convention, awareness can be raised among relevant stakeholders and the public, and this in turn improves citizens' understandings of their rights. That's a positive dividend for the State.

The fifth and final reflection is that the review process through initial and periodic reporting to the Committee against Torture, which we know is arduous at times and requires a lot of preparation, can help us to consider changes to national policies, laws and practices. Chile underwent its periodic review this year. The participation of our Undersecretary of Human Rights with a large delegation from diverse sector of the State, give us the opportunities to identify the steps forward in the implementation, but also the challenges for next years, for example working more in the prevention of torture and in training for law enforcement.

The Universal Declaration has inspired these additional binding treaties – it is good to be reminded why we sign up to them, and why they are beneficial to our citizens and residents,

Before concluding, allow me to briefly mention the torture convention's twin instrument, the Optional Protocol to the Convention against Torture (OPCAT). CTI also raises OPCAT ratification, as relevant and appropriate. In 2018, **one additional State** ratified OPCAT,² bringing the total number of States parties to 88.

I now hand the floor to Ambassador Jespersen to share our work on implementation.

Annex VI: Ambassador Jespersen's remarks – *check against delivery*

Excellencies, ladies and gentlemen,

Turning now to implementation...

As you all know, ratification is only the first part of the journey towards building domestic legislative and institutional approaches to counter the risks of torture and other abuses. This is why CTI also holds a number of regional consultations every year on key thematic challenges to preventing or responding to such risks.

Over the past year, representatives from around 80 States have participated in CTI regional events and seminars exploring various aspects of UNCAT implementation.

We held **two major regional events** in 2018 – one covered the Council of Europe region, the other brought together Caribbean States.

In March, the Government of Denmark, in its capacity as Chair of the Committee of Ministers of the Council of Europe and Core State of the CTI, convened a seminar in Copenhagen, on ways to address and respond to torture and other abuse during police custody and pre-trial detention. This event focused on safeguards and police interviewing as key ways to prevent torture and other abuses. The event was co-organised by the European Committee for the Prevention of Torture (CPT), and DIGNITY-The Danish Institute Against Torture, and enjoyed the participation of 23 Council of Europe Member States.

In June, CTI held together with Wilton Park a regional seminar in Gros Islet, Saint Lucia for countries in the Caribbean on the fair administration of justice and the UN Convention against Torture. Five States were represented at ministerial – attorney-general level, while in total there were 40 participants drawn from 17 States (10 Caribbean States and 7 others) as well as Friends of CTI. Topics covered included police professionalism, prison management and reform, and juvenile justice issues.

Both events provided opportunities for governments to share and explore new methods and techniques in policing or prison management, as well as how institutional structures prevent or incentivise abuse in the first place.

In addition to the CTI's two regional events, in April, CTI organised a roundtable on the rule of law, justice sector reform and UNCAT on the sides of the Commonwealth Heads of Government meeting. The event was organized together with the Ghana High Commission in London and the Commonwealth Secretariat. With 18 of the remaining non-States-parties being Commonwealth countries, the Commonwealth is an important forum for the CTI – and with whom we are building closer relations. The event heard from Fiji, Ghana and the United Kingdom on their latest developments.

I also wanted to mention our second technical workshop on legislative drafting of anti-torture laws, which was held in Dakar, Senegal, in September. Supported by the African Commission on Human and Peoples' Rights and REDRESS, this workshop brought together an impressive 15 States from

Francophone Africa, at varying stages of legislative reform; and offered space to discuss technical and policy considerations for such reforms. Through the CTI Secretariat's "remote help desk", we are responding to queries for post-seminar support from a number of countries.

Also in 2018, CTI briefed the Committee against Torture, the Sub-Committee on the Prevention of Torture and the UN Voluntary Trust Fund for Victims of Torture. During the September Human Rights Council, the CTI co-sponsored Fiji's side event, which shared their progress in implementing UNCAT since 2016. Such side events are an effective way to keep the international community updated, and we'd be open to supporting other States in this way.

Finally, we have been delighted to team up with a number of organisations in the conceptual development and preparation of further tools in CTI's series of **UNCAT implementation tools, showcasing good State practices on various themes**. This year we published two tools, one on *refoulement*, in partnership with the International Commission of Jurists; the second on rehabilitation for victims of torture, in partnership with the OSCE and the International Rehabilitation Council for Victims of Torture, funded by the Italian and Danish governments. Together they highlight over 50 positive State practices in these two areas.

All of CTI's tools are available for free download on CTI's website. More tools will be uploaded as they become available. We'd also be interested to hear from you if you believe you could benefit from other tools.

All our tools are now available in a number of languages. Let me bring to your attention the "CTI Language Libraries" on our website – with documents available in Arabic, French, Spanish, Portuguese, and some other languages.

Thank you's and partnerships

Last but not least, it only remains for me to thank our 2018 partners, many of whom are displayed on this screen. Whether they be States, or our many international, regional and non-governmental partners and experts, we are immensely grateful for your support, for sharing your expertise and experiences, and for being committed to this fundamental issue for all of us.

We look forward to continuing our partnerships and exploring new avenues for collaboration.

In that vein, we look forward to hearing from you on any comments or updates you may have, and I hand the floor back to Dr. Alice Edwards, Head of the CTI Secretariat.

Annex VII : biographies of the speakers

Dr. Carla Ferstman: Senior Lecturer, University of Essex

Dr. Ferstman is Senior Lecturer in law at the University of Essex in the United Kingdom. She is a Canadian qualified barrister and solicitor (year of call 1994). She is a member of the Council of Europe's Expert Council on NGO Law and is an expert member of the Group of Friends of the Convention against Torture Initiative (CTI). Dr Ferstman has worked in the human rights field for the bulk of her career to date including for the United Nations High Commissioner for Human Rights in Rwanda in the aftermath of the 1994 genocide, the International Secretariat of Amnesty International in London and as Executive Legal Advisor of the Commission for Real Property Claims of Refugees and Displaced Persons in Bosnia and Herzegovina. In 2001, Dr. Ferstman joined REDRESS, the award-winning nongovernmental organization that pursues justice on behalf of victims of torture and related international crimes, first as Legal Director and from 2004 - 2018 as Director. In 2012/13 while on sabbatical from REDRESS she was a Jennings Randolph Senior Fellow at the United States Institute of Peace.

Dr. Ferstman received her DPhil in Public International Law from the University of Oxford, her LL.M in International Law from New York University and her LL.B from the University of British Columbia.

Professor Nils Melzer, UN Special Rapporteur on Torture

Professor Melzer has been the United Nations Special Rapporteur on Torture since November 2016. He is also the Human Rights Chair of the Geneva Academy of International Humanitarian Law and Human Rights, and Professor of International Law at the University of Glasgow. Prof. Melzer served for 12 years with the International Committee of the Red Cross as a Legal Adviser, Delegate and Deputy Head of Delegation in various zones of conflict and violence. After leaving the ICRC in 2011 he has represented civil society in the Steering Committee of the International Code of Conduct for Private Security Service Providers. Prof. Melzer has also served as Senior Security Policy Adviser to the Swiss Federal Department of Foreign Affairs, has carried out advisory mandates for institutions such as the United Nations, the European Union, the International Committee of the Red Cross and the Swiss Federal Department of Defence.

Professor Melzer holds a PhD degree in Law from the University of Zurich.

H.E. Carla María Rodríguez Mancia, Permanent Representative of Guatemala to the UN in Geneva

Ambassador Rodríguez Mancia has been serving as Permanent Representative of Guatemala to the UN in Geneva since March 2016. Previously, she served as the Ambassador of Guatemala to Spain from 2013-2016, as Permanent Representative of Guatemala to the UN and other International Organisations in Geneva from 2012-2013, and as Ambassador to Austria and Permanent Representative to the UN in Vienna from 2008-2012. Ambassador Rodríguez Mancia has served in many capacities in the course of her career, including Ambassador to the Netherlands (2006-08), Permanent Representative to the Organization for the Prohibition of Chemical Weapons (2006-08), Alternate Governor of Guatemala to the Common Fund for Commodities (2006-08), Director-

General for International, Multilateral and Economic Affairs, Ministry of Foreign Affairs, Guatemala City (2003-06), Deputy Permanent Representative to the UN in Geneva (1998-03), Deputy Permanent Representative to the World Trade Organization (1997-98), Minister-Counsellor at the Permanent Mission of Guatemala to the European Communities and at the Embassy of Guatemala to Belgium, the Netherlands and Luxembourg (1993-97), and Programme Assistant, Guatemala's Desk, UNICEF Area Office for Central America (1985-89).

Ambassador Rodríguez Mancia holds a degree in Political and Social Sciences from Rafael Landívar University, Guatemala City.