

# Convention against Torture Initiative 2014-2024



## Report: CTI High Level Event 3 March 2015: Universal Ratification and Implementation of the UNCAT – how to get there?

On 3 March 2015, the CTI held a high level event during the 28<sup>th</sup> session of the Human Rights Council on how to reach universal ratification and implementation of the UNCAT. The event discussed global and regional strategies on how to achieve this goal and celebrated and highlighted important progress by individual UN member states (annex 1).

The event was attended by more than 100 participants from civil society organizations, the UN and 34 States (annex 2).

### Opening remarks

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The event was moderated by [Mr. Ibrahim Salama](#), Director of OHCHR's Human Rights Treaties Division. Before giving the floor to key note speakers, discussants and participants, Mr. Salama [highlighted](#) some key events hosted by the CTI during the past year and recalled the immediate objectives of the CTI:

1. To identify challenges and barriers to ratification and implementation of the Convention;
2. To address these obstacles through inter-State cooperation, assistance and dialogue;
3. To mobilize legal advice and technical assistance to governments at their request; and
4. To build a global platform composed of States, the United Nations, national and international NGOs and experts to work jointly to achieve the CTI vision

### Key Notes

[Mr. Ivan Šimonović](#), UN Assistant Secretary General for Human Rights, delivered [the first key note](#) of the event focusing on the continued relevance of the UNCAT 30 years after its adoption in 1984. Mr. Šimonović underscored that the definition of torture throughout the years had been expanded through jurisprudence providing for an increased threshold for protection under national and international law and also providing for better access to justice and redress. However, the use of torture was at the same time being increasingly justified especially in the context of fighting terrorism which risked undermining the most fundamental provisions of the Convention and the upholding of its core values. Mr. Šimonović stressed in this regard the timely launch of the CTI which was highlighted as a unique state-driven collaboration and a substantial step forward in the battle to eradicate the devastating practice of torture in order to put us back on the right track. Mr. Šimonović reaffirmed OHCHR's full support for the CTI.

The [second key note](#) was delivered by [Mr. Kolbassia Haoussou](#), torture survivor and co-founder of the Survivors Speak OUT Network. Mr. Haoussou reminded the audience that



torture stands in absolute opposition to freedom and that allowing one act of torture somewhere would sanction its use everywhere. Mr. Haoussou stressed that ratification followed by meaningful implementation of the UNCAT was therefore essential to shatter the culture of impunity. Mr. Haoussou called for the inclusion of survivors of torture in the fight against torture.

#### *Discussants – national achievements*

Vietnam – as the newest State party to the UNCAT on 5 February 2015 – had been invited to inform the audience about how they had dealt with the ratification process of the Convention. Although it had only taken one year between signature and ratification, Deputy Minister for Foreign Affairs, Mr. Nguyen Quoc Cuong, informed that the whole process had been on-going for almost a decade. A comprehensive review of the internal political system had been undertaken as well as a thorough legal review in order to detect discrepancies between national legislation and the Convention. Civil servants from central to grass root local levels authorities as well as social and political organizations had been involved throughout the whole process. While an inter-agency action plan has been drawn up to secure implementation of the UNCAT, the Deputy Minister acknowledged that a lot was still to be done. In particular, focus had to be dedicated to improving domestic laws ensuring coherence with the Convention, as well as to continue to raise public awareness on the implementation of the UNCAT as well as on national regulations related to the prohibition of torture. Read the Deputy Minister's full speech [here](#).

The Minister of State for Foreign Affairs of Uganda, Mr. Henry Oryem Okello, had been invited to share Uganda's experiences related to UNCAT domestication. Having ratified already in 1987, the Convention had subsequently been domesticated in 2012 by the enactment of the Prevention and Prohibition of Torture Act. The Act provided for a comprehensive definition of torture, making torture a criminal offence, providing sanctions for the offence of torture, bestowing duties, responsibilities and rights to various persons and regulating the use of information obtained by means of torture. The Act had already made history as it had held government officers individually liable for the offence of torture. The Government had together with the Uganda Human Rights Commission, other State actors as well as non-State actors developed an implementation roadmap. Through a coalition of state and non-state actors, various structures and officers responsible for promoting human rights, including protection from torture, had been put in place. Police forces had furthermore been provided with human rights directories and legal advisory services. The Minister reaffirmed Uganda's commitment to continue its focus on UNCAT implementation and highlighted the CTI as a most effective tool in reaching this goal. Read the Minister's full statement [here](#).

#### *Discussants – regional strategies and activities*

Representatives from the initiators of the CTI – Chile, Denmark, Ghana, Indonesia, and Morocco – each informed about ratification and implementation challenges from their respective regions and presented concrete plans for regional CTI activities.



The Minister for Foreign Affairs of Denmark, Mr. Martin Lidegaard, announced that an initiative on the exchange of experiences related to UNCAT and OPCAT ratification and implementation was envisioned within the OSCE context. States were encouraged to implement comprehensive self-scrutiny and it was hoped that the CTI platform could be a cooperative and friendly setting which would create the right environment for reaching the goal of universal ratification of the Convention. Denmark encouraged all UN member states to join the CTI Group of Friends. Read the Minister's full statement [here](#).

Minister Delegate for Foreign Affairs and Cooperation of Morocco, Ms. Mbarka Bouaida, demonstrated commitment to the fight against torture by referring to the country's recent OPCAT ratification and informed the audience that preparations were being undertaken for the tabling of a new law which would set up the National Preventive Mechanism. The CTI was highlighted as an important asset towards effective torture prevention through the provision of a no naming no shaming platform where views and good practices could be exchanged. The CTI's regional focus was pointed to as an essential strategy of the initiative and it was announced that Morocco would host the CTI's second annual Forum in Marrakech later this year. Read the Minister Delegate's full statements [here](#).

The Ambassador of Ghana, Mr. Sammie Eddico, announced early ratification of OPCAT and was looking forward to exchange experiences with States that had been or were in the same situation. Ghana also drew attention to the UNCAT ratification status on the African continent where 11 states were still not States parties to the Convention. The possible reasons for non-ratification were highlighted as being lack of public awareness, lack of understanding potential rewards of ratification, proliferation of violent non-state actors and low level of political will to ratify. Ghana pointed to strengthened dialogue and sharing of experiences as the way forward. Read the Ambassador's speaking points [here](#).

The Ambassador of Indonesia, Mr. Triyono Wibowo, underlined Indonesia's commitment to further the objectives of the CTI in the Asian region where 43 of 64 States had ratified the UNCAT. Challenges encountered in the region were especially policy related to priority and national consensus as well as to national legislations. Meanwhile, UNCAT States parties in the region were in particular faced with challenges related to harmonization of the UNCAT into national legislations, capacity building and human resources development as well as to preparing periodic reports to the Committee against Torture. The importance of working with regional mechanisms was highlighted and the work of the ASEAN Human Rights Commission (AICHR) was recognized as being essential for promoting the elimination of torture in the region. Read the Ambassador's full statement [here](#).

The Ambassador of Chile, Ms. Marta Maurás, reiterated the Latin American region's commitment to the fight against torture in light of the many years of suffering throughout various former military regimes. While a lot had happened in the past 25 years in the region in the context of torture prevention, there was still a lot to be done. For this reason, Chile announced that a meeting for the Latin American and Caribbean region would be hosted in San José, Costa Rica, later this year. The meeting – which would be the first regional CTI



event – would address in the context of Latin America and the Caribbean the main challenges towards universal ratification and implementation of the UNCAT while identifying existing barriers and future challenges from a multidisciplinary perspective and through sharing good practical experiences in implementation. Read the Ambassador’s full statement [here](#).

### **Open floor debate**

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During an open floor debate, the broad support for the CTI, its goals and purposes was reaffirmed by several civil society organizations and government representatives.

The Committee against Torture as represented by Committee member Jens Modvig reminded the audience that while many good developments had happened in the 30 year lifespan of the UNCAT – some current ones included the on-going treaty body strengthening process at institutional level as well as the launch of the CTI at inter-governmental level – torture was still a widely used practice and much still needed to be done.

### **Closing remarks**

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Conclusively, the Ambassador of Chile stressed that States should not ratify just to ratify. Ratification should be meaningful and ultimately result in equally meaningful implementation. Essential would be to share experiences so as to help each other move forward. The CTI would be of great value in this regard.

Minister Delegate for Foreign Affairs and Cooperation of Morocco, Ms. Mbarka Bouaida, reaffirmed Morocco’s commitment to meaningful implementation of all human rights instruments in a national context and furthermore highlighted its good practice on having open dialogues with civil society organizations throughout processes.

The Ambassador of Ghana reiterated that political will was essential to make States move towards ratification which Indonesia supported meanwhile stressing a need to explore further the actual challenges and problems faced by States. Regional cooperation was in this regard crucial.

Mr. Haoussou reiterated the importance of including survivors of torture in the process, to bring on board their experiences and expertise.

The Danish Minister for Foreign Affairs, Mr. Martin Lidegaard concluded that there was still a long way to go in the fight against torture for those States that still need to ratify but also for those States that continue to face problems in terms of implementation of the Convention. The strength, relevance and value of the CTI had in this regard been unequivocally cemented during the discussions. The CTI vision of universal ratification and implementation was ambitious, but it was achievable.

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## Annex 1: Official event invitation

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Human Rights Council – 28<sup>th</sup> Session

HIGH LEVEL SIDE EVENT

*“Universal Ratification & Implementation of the UNCAT – How to get there”*

Tuesday 3 March 2015 from 13:00 to 15:00 hrs.

Room XXI – Palais des Nations

The Convention against Torture Initiative (CTI) aims to achieve universal ratification and implementation of the UN Convention against Torture before 2024. The high level event will discuss global and regional strategies on how to achieve this goal and celebrate and highlight important progress by individual UN member states.

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Introductory remarks by the moderator:

**Mr. Ibrahim Salama**

**Director, Human Rights Treaties Division, OHCHR**

Key notes

**Mr. Kolbassia Haoussou**

**Co-founder and coordinator of the Survivors Speak OUT Network**

**Mr. Ivan Šimonović**

**Assistant Secretary-General for Human Rights**

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Discussants:

- H.E. Minister for Foreign Affairs of Denmark, Mr. Martin Lidegaard
- H.E. Minister of State for Foreign Affairs of Uganda, Mr. Henry Oryem Okello
- H.E. Deputy Minister for Foreign Affairs of Vietnam, Mr. Nguyen Quoc Cuong
- H.E. Minister Delegate for Foreign Affairs and Cooperation of Morocco, Ms. Mbarka Bouaida
- H.E. Ambassador of the Permanent Mission of Indonesia to the UN, Mr. Triyono Wibowo
- H.E. Ambassador of the Permanent Mission of Ghana to the UN, Mr. Sammie Eddico
- H.E. Ambassador of the Permanent Mission of Chile to the UN, Ms. Marta Maurás

Light refreshments will be served from 12:45 hrs.

*The CTI was launched in March 2014 by the Governments of Chile, Denmark, Ghana, Indonesia and Morocco. The objective is to achieve universal ratification and implementation of the UN Convention against Torture by 2024.*





## Annex 2: List of participants

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States	Organizations
Australia	APT
Bahrain	CCPR
Brazil	Committee against Torture
Canada	Freedom from Torture
Chile	La Francophonie
China	OMCT
Denmark	Survivors Speak OUT Network
Egypt	Universal Rights Group
Estonia	WILF
EU	
France	
Ghana	
Greece	
Guatemala	
Holy See	
Indonesia	
Ireland	
Lithuania	
Luxembourg	
Mauretania	
Morocco	
New Zealand	
Norway	
Qatar	
Serbia	
Slovenia	
Sweden	
Switzerland	
Turkey	
Uganda	
UK	
Uruguay	
USA	
Vietnam	