



CTI TECHNICAL WORKSHOP

Improving implementation of the UN Convention against Torture: Strengthening complaints, investigations and prosecution mechanisms

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BANJUL, THE GAMBIA | 25 – 27 OCTOBER 2022
WORKSHOP MANUAL

In partnership with

REDRESS

Ending torture, seeking justice for survivors

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This Workshop Manual provides an overview of UNCAT anti-torture standards related to the issues covered in this Workshop, and examples of legislative provisions of other common law African States. It was designed to ensure the Workshop is conducted in a manner that is informed, engaging, practical, and realistic. This Booklet is complemented by additional CTI and REDRESS material.

INTERNATIONAL AND REGIONAL INSTRUMENTS

UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)

Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)

Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-against-torture-and-other-cruel>

African Charter on Human and Peoples' Rights (African Charter)

Available at: <https://www.achpr.org/legalinstruments/detail?id=49>

RESOURCES BY CTI AND REDRESS

CTI Article-by-Article

Available at: <https://cti2024.org/resource/uncat-article-by-article/>

CTI UNCAT Explainer

Available: <https://cti2024.org/resource/uncat-explainer/>

Guide on Anti-torture legislation

Available at: <https://cti2024.org/resource/guide-on-anti-torture-legislation/>

CTI training tool on investigative interviewing for criminal cases

Available at: https://cti2024.org/wp-content/uploads/2021/01/CTI-Training_Tool_Investigative-Interviewing.pdf

CTI UNCAT Implementation Tool 1/2017: States strategies to prevent and respond to torture and ill-treatment or punishment

Available at: <https://cti2024.org/resource/state-strategies-to-prevent-and-respond-to-torture-and-other-ill-treatment-or-punishment/>

CTI UNCAT Implementation Tool on Procedures and mechanisms to handle complaints of and investigations into torture or other ill-treatment

Available at: <https://cti2024.org/resource/cti-uncat-implementation-tool-7-2019-complaints-of-and-investigations-into-torture-and-ill-treatment/>

CTI “States parties in focus” blog on The Gambia

Available at: <https://cti2024.org/the-gambia-in-focus/>

CTI-REDRESS Report on Anti-Torture Standards in Common Law Africa

Available at: <https://cti2024.org/resource/cti-redress-report-on-africa-anti-torture-law-standards/>

REDRESS Practice Note on the Law against Torture

Available at: <https://redress.org/wp-content/uploads/2021/05/Practice-Note-1-The-Law-on-Torture.pdf>

REDRESS Training Module 2 on the UN Convention against Torture and the Definition of Torture

Available at: <https://redress.org/wp-content/uploads/2021/07/Training-Module-02-The-UN-Convention-Against-Torture.pdf>

REDRESS Training Module 3 on Enforced Disappearance as Torture

Available at: <https://redress.org/wp-content/uploads/2021/07/Training-Module-03-Enforced-Disappearance-As-Torture.pdf>

REDRESS Training Module 4 on SGBV as Torture

Available at: <https://redress.org/wp-content/uploads/2021/07/Training-Module-04-SGBV-As-Torture.pdf>

REDRESS Training Module 5 on Instigating Prosecutions for Torture

Available at: <https://redress.org/wp-content/uploads/2021/07/Training-Module-05-Instigating-Prosecutions-For-Torture.pdf>

OTHER RELEVANT INTERNATIONAL AND REGIONAL GUIDELINES

UNCAT General Comment No. 2: Implementation of Article 2 by States Parties (2008)

Available at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/catcgc2-general-comment-no-2-2007-implementation>.

Robben Island Guidelines for the Prohibition and Prevention of Torture in Africa

Available at: <https://www.apt.ch/en/resources/publications/robben-island-guidelines-2002>

Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa (the Luanda Guidelines)

Available at: <https://www.achpr.org/presspublic/publication?id=6>

Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa (Luanda Guidelines) Toolkit (2017)

Available at: https://www.achpr.org/public/Document/file/English/conditions_of_arrest_police_custody_toolkit.pdf

Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (the Istanbul Protocol) (2022 edition)

Available at: <https://www.ohchr.org/en/publications/policy-and-methodological-publications/istanbul-protocol-manual-effective-0>

UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) (2015)

Available at: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (1988)

Available at: <https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/bodyprinciples.pdf>

Principles on Effective Interviewing for Investigations and information Gathering (Méndez Principles) (2021)

Available at: <https://www.apt.ch/en/resources/publications/new-principles-effective-interviewing-investigations-and-information>

EXAMPLES OF STAND-ALONE ANTI-TORTURE LEGISLATION FROM AFRICAN STATES

Kenya, The Prevention of Torture Act, 2017

Available at: <http://kenyalaw.org:8181/exist/rest//db/kenyalex/Kenya/Legislation/English/Acts%20and%20Regulations/P/Prevention%20of%20Torture%20Act%20-%20No.%2012%20of%202017/docs/PreventionofTortureAct12of2017.pdf>

Nigeria, Anti-Torture Act, 2017

Available at: <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/108562/134257/F-1021277030/NGA108562.pdf>

South Africa, Prevention of Combating of Torture of Persons Act, 2013

Available at: <https://www.gov.za/documents/prevention-combating-and-torture-persons-act>

Uganda, Prevention and Prohibition of Torture Act, 2017

Available at: <https://ulii.org/akn/ug/act/2012/3/eng%402012-09-18>

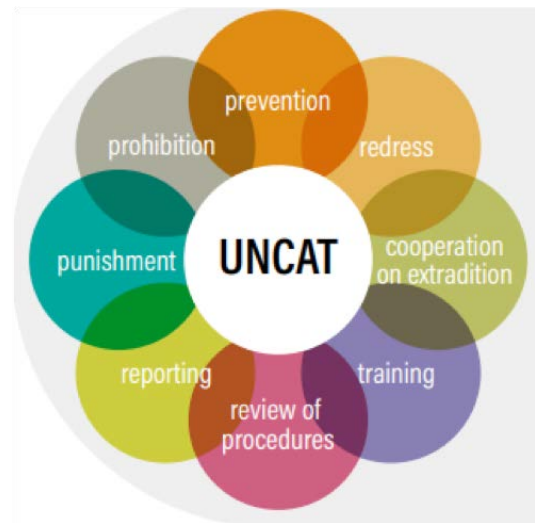
WORKSHOP SESSIONS: MATERIALS

INTRODUCTION TO THE UN CONVENTION AGAINST TORTURE (DAY 1, SESSION 1)

The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) is the key global treaty guiding States on how to effectively prohibit and prevent such practices, as well as investigate, prosecute and punish perpetrators, and provide redress for victims. UNCAT was adopted on 10 December 1984 and entered into force on 26 June 1987.

Definition of torture

The definition of torture under UNCAT is without prejudice to any international instrument or national legislation which does or may contain provisions of wider application (Article 1.2. UNCAT). States may decide to incorporate the UNCAT definition by amending existing legislation, such as their Criminal Code or other relevant criminal laws, or by adopting a stand-alone anti-torture law. In any case, a thorough review of the domestic legal framework after ratification of UNCAT is necessary to achieve treaty compliance. As noted by the Committee against Torture (CAT), “serious discrepancies between UNCAT’s definition and that incorporated into domestic law create actual or potential loopholes for impunity”.¹



¹ Committee against Torture (CAT), [General Comment No. 2](#), para. 9.

The definition of torture, as per UNCAT, should include four elements:

1

2

3

4



PROPOSALS FOR STATES

- Introduce or amend national legislation to incorporate a definition of torture that, at a minimum, includes all four elements contained in Article 1 of UNCAT.
- Ensure State responsibility for acts of torture committed by non-State actors and private actors when the State fails to exercise due diligence to prevent, investigate, prosecute and punish them for the commission of such acts, and consider the issue of whether or how to incorporate the acts of non-State actors and private actors in the domestic definition of torture.

Sample legislation



NIGERIA – ANTI-TORTURE ACT, ART. 2

“Torture is deemed committed when an act by which pain or suffering, whether physical or mental, is intentionally inflicted on a person to – (a) obtain information or a confession from him or a third person; (b) punish him for an act he or a third person has committed or is suspected of having committed; or (c) intimidate or coerce him or a third person for any reason based on discrimination of any kind – when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity provided that it does not include pain or suffering in compliance with lawful sanctions”.



SOUTH AFRICA – PREVENTION AND COMBATING OF TRAFFICKING IN PERSONS ACT, ART. 3

“Torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person (a) For such purposes as to (i) obtain information or a confession from him or her or any other person; (ii) punish him or her for an act he or she or any other person committed, is suspected of having committed or is planning to commit; or (iii) intimidate or coerce him or her or any other person to do, or to refrain from doing, anything; or (b) For any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of, or with the consent or acquiescence of a public official or other person acting in an official capacity, but does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”



UGANDA – PREVENTION AND PROHIBITION OF TORTURE ACT, ART. 2

“Torture means any act or omission, by which severe pain or suffering whether physical or mental, is intentionally inflicted on a person by or at the instigation of or with the consent or acquiescence of any person whether a public official or other person acting in an official capacity or private capacity for such purposes as – (a) obtaining information or a confession from the person or any other person; (b) punishing that person for an act he or she or any other person has committed, or is suspected of having committed or of planning to commit; or (c) intimidating or coercing the person or any other person to do, or to refrain from doing, any act.”

Caselaw spotlight



KENYA

Coalition on Violence Against Women & 11 others v Attorney general of the Republic of Kenya & 5 others. In the aftermath of Kenya’s general election in December 2007, several women, men and children were subjected to forms of sexual and gender-based violence including rape, gang rape, sodomy and other acts perpetrated by State and non-State actors. The victims reported that the State failed to adequately investigate the facts and to prevent the foreseeable violence, due to lack of training of the police, failure to plan and prepare policing operations during post-election violence, and to intervene where violence did occur. The High Court found that “the State does indeed have an obligation to prevent violations by State actors and non-State actors”. It held that the State’s failure to prevent, investigate and prosecute those violations was a basis for holding the State itself accountable for torture.

ABSOLUTE AND NON-DEROGABLE PROHIBITION OF TORTURE AND CRIMINALISATION (DAY 1, SESSION 2)

Absolute prohibition of torture

The prohibition of torture is a *jus cogens* norm of customary international law, a peremptory norm of general international law which cannot be derogated from. The absolute nature of the prohibition of torture and other ill-treatment is expressly recognised in numerous international and regional human rights treaties, including [UNCAT](#) and the [African Charter](#). The prohibition also enjoys a non-derogable nature and cannot be justified under any exceptional circumstance, including:

1	2
3	4



PROPOSALS FOR STATES

- Ratify, without reservations, UNCAT and OPCAT, as well as other relevant international and regional human rights treaties containing the prohibition against torture and other ill-treatment (refer to Annex 1 for an overview of the status of treaty ratification).
- Review domestic laws and assess against international and regional treaty obligations, especially where relevant legislation such as Criminal Codes date back to a time prior to ratification of UNCAT.
- On the basis of the legislative review, consult and decide on the best approach to align national laws with international and regional standards, for example, by adopting a stand-alone anti-torture law or amending existing relevant legislation accordingly, and the process for undertaking these reforms.
- Amend relevant domestic laws or adopt new legislation to ensure they provide for the absolute and non-derogable nature of the prohibition of torture and other ill-treatment, in accordance with Art. 2.2 and 2.3 of UNCAT.

Sample legislation



THE GAMBIA – CONSTITUTION, ART. 21.

“Protection from inhuman treatment. No person shall be subject to torture or inhuman or degrading punishment or other treatment.”



ZIMBABWE – CONSTITUTION, ARTS. 53, 86, 87.

Art. 53. “No person may be subjected to physical or psychological torture or to cruel, inhuman or degrading treatment or punishment.”

Art. 86. “(3) No law may limit the following rights enshrined in this Chapter, and no person may violate them— (a) the right to life, except to the extent specified in section 48; (b) the right to human dignity; (c) the right not to be tortured or subjected to cruel, inhuman or degrading treatment or punishment; (d) the right not to be placed in slavery or servitude; (e) the right to a fair trial; (f) the right to obtain an order of habeas corpus as provided in section 50(7)(a)”.

Art. 87. “No law that provides for a declaration of a state of emergency, and no legislative or other measure taken in consequence of such a declaration, may— (...) (b) limit any of the rights referred to in section 86(3), or authorise or permit any of those rights to be violated.”

Caselaw spotlight

The non-derogable nature of the prohibition of torture and other ill-treatment has been upheld by domestic courts in common law African States:



KENYA – EG & 7 OTHERS V ATTORNEY GENERAL.

In 2019, the High Court at Nairobi upheld the absolute nature of the prohibition of torture and that of cruel or degrading treatment or punishment, recognising it as a fundamental right that no law can seek to limit.



UGANDA – ISSA WAZEMBE V ATTORNEY GENERAL.

In 2019, the High Court held that freedom from torture and CIDTP is a non-derogable right, stating that torture absolutely “cannot be tolerated”.



SOUTH AFRICA – S V MTHEMBU.

In 2008, the Supreme Court of Appeal drew on the absolute nature of the prohibition of torture under UNCAT for its holding: “no derogation from it is permissible, even in the event of a public emergency (...). Our Constitution follows suit and extends the non-derogation principle to include cruel, inhuman and degrading treatment”.

Criminalisation of torture

Every State party has the obligation to criminalise torture (Art. 4, UNCAT). According to CAT, States parties are to enact a separate offence of torture in its criminal law that contains, at a minimum, the elements of the definition of torture under Article 1 of UNCAT.

“...impunity is often shaped by formal obstacles to individual accountability enshrined in national laws, including, most notably, the absence of legal provisions specifically criminalizing torture and ill-treatment”.

UN Special Rapporteur on Torture Nils Melzer²

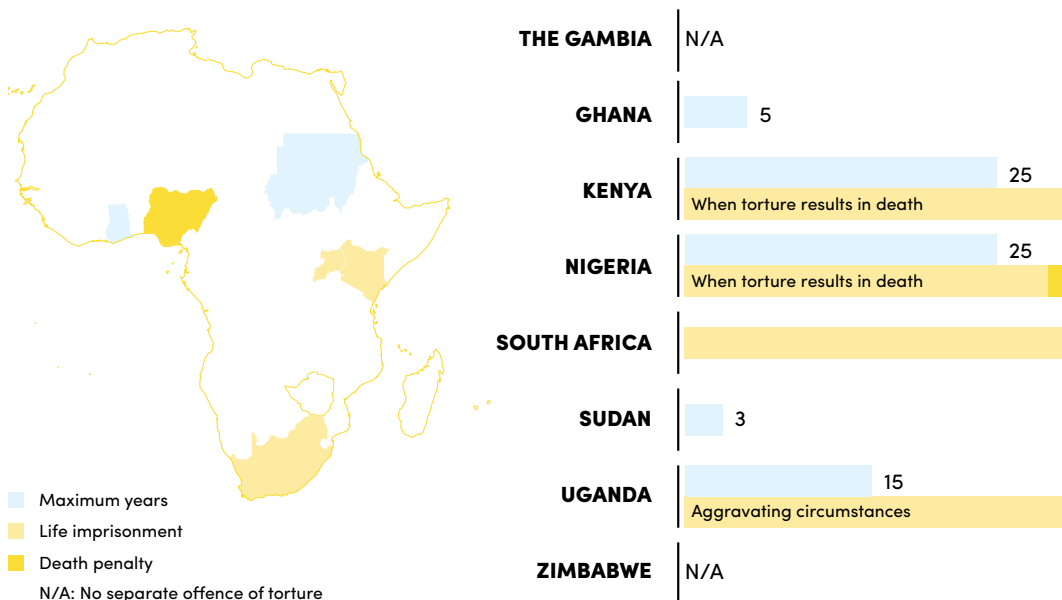
Why criminalise torture?

Alert perpetrators, victims and the public to the gravity of the crime	Enhance the ability of officials to track the specific crime of torture
Strengthen the deterrent effect of the prohibition	Emphasise the need for appropriate punishment
Enable torture victims’ access to justice and redress	Aid non-application of statutes of limitation, amnesties and immunities
Enable and empower the public to monitor and challenge State action or inaction that may violate UNCAT.	

2 UNGA, Interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Nils Melzer (Interim report of SRT Nils Melzer), 16 July 2021, UN Doc A/76/168, para. 26.

Penalties

Acts of torture shall be made punishable by appropriate penalties taking into account their grave nature (Art. 4(2), UNCAT). CAT recommends that sentences of imprisonment for torture range between 6 and 20 years. Penalties for the crime of ill-treatment should usually bear a lighter sentence than that of the offence of torture in accordance with the distinct definitions and grades of severity they relate to.



PROPOSALS FOR STATES

- Introduce or amend national legislation to criminalise torture, as defined in Article 1 of UNCAT, as a separate offence subject to punishment commensurate with the gravity of the crime (CAT recommends a minimum penalty of 6 years of imprisonment).
- Review criminal modes of liability to ensure that criminalisation of torture encompasses not only direct perpetration of torture, but also attempt, complicity, instigation, incitement, consent or acquiescence and other forms of participation, expressly prohibiting the invocation of superior orders as a justification to torture.

- Consider, consult broadly upon and strategise on gender sensitive approaches to the criminalisation of torture, and take steps to address sexual and gender-based violence that may amount to torture or other ill-treatment, such as rape, FGM or domestic violence.
- Consider the issue of whether or how to incorporate the acts of non-State actors/private actors into domestic criminal offences.
- Consider criminalising ill-treatment as a separate offence, with a distinct definition from torture and lower penalties.

Criminalisation of ill-treatment

Though States are required to prevent other acts of cruel, inhuman or degrading treatment or punishment (art. 16, UNCAT), UNCAT is silent as to whether the obligation to provide for a separate offence of torture under Article 4 of UNCAT also applies to other ill-treatment. CAT noted that “(...) articles 3 to 15 are likewise obligatory as applied to both torture and ill-treatment”³ and has recommended States to punish acts of ill-treatment through provisions in national criminal law, albeit only in few instances.

Despite this, academic literature is of the view that the obligation to criminalise torture does not extend to other ill-treatment, as also echoed in UNCAT’s *travaux préparatoires* and the fact that UNCAT’s preventive obligations are those referred to in Articles 10 to 13. Furthermore, there are specific challenges to establishing and prosecuting acts of CIDTP, in particular the lack of legal clarity on the offence as there is no international definition of CIDTP and the case law is vast.

What distinguishes torture from other ill-treatment “is not the intensity of the suffering inflicted, but rather the purpose of the conduct, the intention of the perpetrator and the powerlessness of the victim”; thus, CIDTP “means the infliction of pain or suffering without purpose or intention and outside a situation where a person is under de facto control of another”.

UN Special Rapporteur on Torture Manfred Nowak⁴

³ CAT, [General Comment No. 2](#), para 6.

⁴ UNHRC, Report of SRT Manfred Nowak, UN Doc. A/HRC/13/39, para. 60.

Should States decide to criminalise other ill-treatment, it is recommended to provide for a clear definition, and to keep the notion separate from that of torture.

Sample legislation



KENYA – CRIMINALISATION OF ILL-TREATMENT UNDER DIFFERENT ACTS.

Ill-treatment is a specific criminal offence under six different Acts,⁵ and defined as “a deliberate and aggravated treatment or punishment not amounting to torture, inflicted by a person in authority or the agent of the person in authority against a person under his custody, causing suffering, gross humiliation or debasement of the person”.⁶

Caselaw spotlight

African Commission on Human and Peoples’ Rights

In a case⁷ where Civil Liberties Organisation, a Nigerian human rights NGO, complained about several forms of harassment and persecutions from the Nigerian Government, including arbitrary arrest, incommunicado detention and torture and other forms of ill-treatment, the ACHPR noted that “the term ‘cruel, inhuman or degrading treatment or punishment’ is to be interpreted so as to extend to the widest possible protection against abuses, whether physical or mental”.

EFFECTIVE COMPLAINTS AND INVESTIGATION MECHANISMS (DAY 1, SESSION 4)

The right to complain, followed by prompt and impartial investigations of human rights violations, including torture and CIDTP, are crucial steps towards accountability, redress and deterring future violations. UNCAT provides for the right to complain and requires States to promptly and impartially examine such complaints (Art. 13) and to conduct prompt and impartial investigations (Art. 12) into acts of torture and other ill-treatment (Art. 16). Independent complaints and investigation mechanisms play a vital role in enabling States to effectively fulfil these obligations.

5 PTA, s 7 (Kenya); Persons Deprived of Liberty Act, No. 3 of 2014, s 5 (Kenya); Children Act, ss 18, 20 (Kenya); The Basic Education Act of 2013, s 36 (Kenya); National Intelligence Services Act, 2012, s 51 (Kenya); National Police Service Act, ss 2, 95 (Kenya).

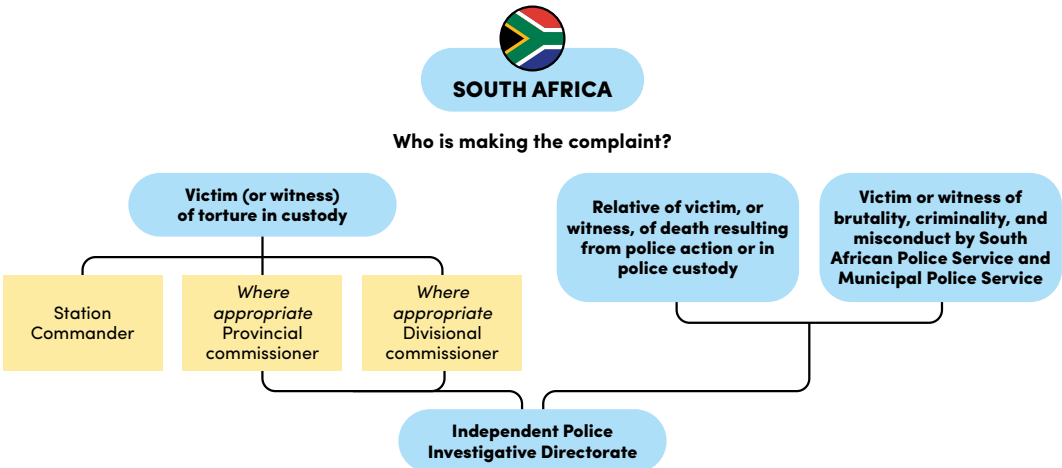
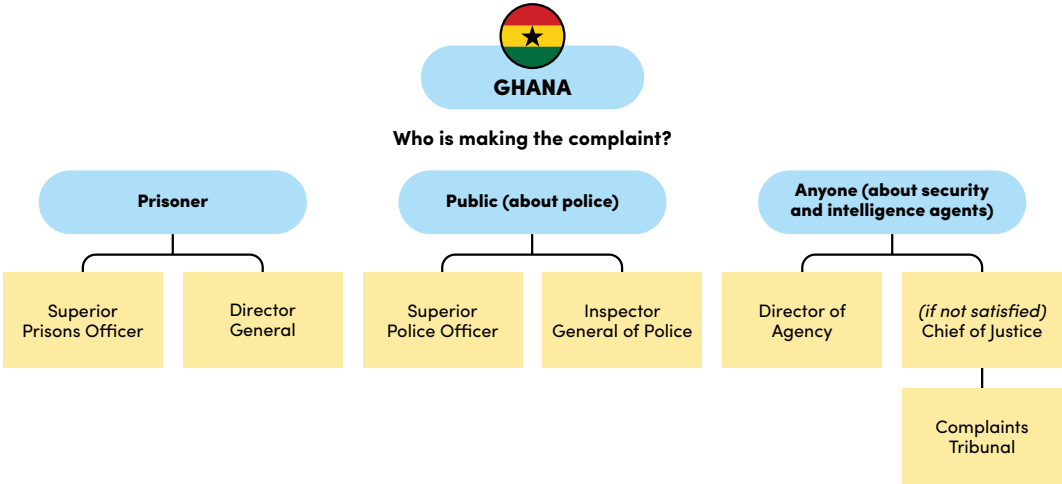
6 National Intelligence Services Act, s 51(4) and National Police Service Act, s 2(1) (Kenya).

7 ACHPR, *Huri Laws v. Nigeria*, Communication No. 225/98, 6 November 2000, para. 40.

The Robben Island Guidelines: States should “[e]nsure the establishment of readily accessible and fully independent mechanisms to which all persons can bring their allegations of torture and ill-treatment” and such complaints should be investigated promptly, impartially, and effectively.

Right to complain

Legal provisions providing for the right to complain should include information on how complaints should be registered by the receiver of the complaint, the exact mechanism for filing complaints, the duty to report, and the means of responding to complaints, including the requirement to notify the complainant of any outcome.



Investigations

Investigations should seek to determine the nature and circumstances of any acts of torture or other ill-treatment with a view to holding perpetrators accountable and, importantly, they shall be undertaken by independent and qualified individuals. UNCAT obligation comprises a duty to ensure investigations are effective. Relevant elements:

Promptness

Impartiality

Effectiveness

THE ISTANBUL PROTOCOL

The Istanbul Protocol is a set of international United Nations standards for the effective investigation and documentation of torture and other cruel, inhuman or degrading treatment, and for the reporting of these findings to the judiciary and other investigating bodies.

Any effective procedure to investigate acts of torture and other ill-treatment with a view to prosecute the perpetrator(s) should include a comprehensive medical and psychological examination of the victim(s) and accompanying medico-legal report to be used as evidence in a court case. A revised edition, which aims to strengthen the implementation of existing standards, was published on 29 June 2022.

Practice spotlight



UGANDA

The Uganda Human Rights Commission is responsible for receiving and investigating complaints and it operates independently. In 2020, the body registered 308 complaints of torture by security officials and private individuals, which represented 49% of all human rights violations complaints it received that year. Additionally, Human Rights Committees have been established as one of the primary monitoring, complaints and grievance procedures to strengthen transparency

and accountability in prisons and places of custody, though “a number of [them] were not functional” in 2018. Where they are operating, these committees receive training from the Uganda Human Rights Commission, and in turn train prisoners to increase awareness of their rights so that they can report violations.⁸



PROPOSALS FOR STATES

- Establish specific independent and impartial bodies (such as Ombudspersons, NHRIs, or Committees) with a mandate to receive complaints, undertake investigations of allegations of torture and other ill-treatment and refer them to the competent authorities, and ensure they are adequately funded in order to effectively and independently carry out such a mandate.
- Ensure complaint mechanisms are effective and easily accessible to all persons, including by providing various options to submit complaints and through various locations throughout the State, and by taking steps to ensure that the public is well-informed about their existence and encourage individuals to make use of their right to complain.
- Enact legislation to ensure that victims, witnesses and any individuals making a complaint against a public official are protected against all ill-treatment or intimidation as a consequence of the complaint or any evidence given.
- Ensure that investigations are carried out promptly, effectively, independently, and in accordance with the Istanbul Protocol.
- Enact legislation and regulatory procedures for judicial review of decisions not to investigate allegations of torture.
- Conduct trainings for all officials involved in the investigatory process, including forensic experts, on the documentation of torture and other ill-treatment in accordance with the Istanbul Protocol, training of judicial officers on interpreting these assessments, and training of law enforcement personnel in cooperating and refraining from intervening in the investigations.

8 Constitution of Uganda, Art. 54; UHRC and ACTV, [Press Statement on UN Day in Support of Victims of Torture with Specific Attention to Torture Survivors](#) (Press Statement), 22 June 2021, p. 2; Uganda Human Rights Commission, [2018 Human Rights Report](#), p. 227.

- Develop and implement procedures and mechanisms to collect clear and reliable statistical data on the number of complaints made, investigations launched, as well as the number of subsequent convictions and penalties imposed by the judicial authorities on the perpetrators of torture and other ill-treatment. Such data should be made available and easily accessible to the public to ensure transparency.

EFFECTIVE PROSECUTIONS AND BARRIERS TO ACCOUNTABILITY (DAY 2, SESSION 2)

In the spirit of combating torture and fighting impunity, Article 7 of UNCAT requires States to either prosecute any alleged offenders of torture or extradite them for prosecution abroad. In this regard, the CAT has clarified that States are expected to prosecute and may only choose between prosecuting and extraditing an alleged perpetrator if and when an extradition request is put forward.

It should be noted that, in any case, extradition must necessarily respect the principle of *non-refoulement*, which prohibits States from deporting, extraditing, expelling or otherwise transferring persons to countries where there is a real risk that they may be exposed to torture (Art. 3, UNCAT).

As other actors working in the criminal justice system (judges, police, lawyers), prosecutors “shall be properly and in sufficient number selected, educated and paid”, and States are encouraged to take “effective measures for combating corruption in the administration of justice”.

UN Special Rapporteur on Torture Manfred Nowak⁹

The absence of comprehensive, public and accessible data concerning the number of recommendations for prosecution under the offence of torture, actual prosecutions, and their outcome can be an obstacle when seeking to assess a State’s progress in fighting impunity. Often, where there is some documentation of human rights abuses, the lack of standards for and information on the categorisation made by governmental bodies can prevent a clear assessment of the prosecution for torture. This is because acts which amount to torture can often be categorised as police brutality or other offences instead of torture.

9 UNHRC, Report of SRT Manfred Nowak, Addendum, 5 February 2010, UN Doc A/HRC/13/39/Add.5, para 259 (c).



PROPOSALS FOR STATES

- Enact or amend legislation and policies to provide for the prosecution or extradition of alleged perpetrators of torture, as required under UNCAT.
- Adopt a “zero tolerance” policy in relation to torture and other ill-treatment by, inter alia, issuing public statements and adopting internal regulations condemning practices of torture that clearly state that anyone committing such acts or otherwise participating or assisting in their commission will be criminally prosecuted and shall receive the appropriate penalties upon conviction.
- Consider making the prosecution of perpetrators of torture a priority within the strategic plan of the Public Prosecutions’ Office.
- Consider creating separate investigative units within the Public Prosecutions’ Office and/or the judiciary with a specific mandate to investigate torture.
- Provide training on the relevant international human rights standards related to the investigation of torture to stakeholders involved in accountability mechanisms, such as judges and prosecutors.

IDENTIFYING KEY CHALLENGES AND IMPLEMENTATION GAPS (DAY 2, SESSION 3)

CHALLENGE	NOTES

DEVELOPING IMPLEMENTATION STRATEGIES (DAY 2, SESSION 4)

	PRIORITY ISSUE	STEPS TO TAKE	AGENCY(IES) RESPONSIBLE	EXTRA SUPPORT/ RESOURCES REQUIRED
Short term				

	Medium term
PRIORITY ISSUE	
STEPS TO TAKE	
AGENCY(IES) RESPONSIBLE	
EXTRA SUPPORT/ RESOURCES REQUIRED	

EXTRA SUPPORT/ RESOURCES REQUIRED	
AGENCY(IES) RESPONSIBLE	
STEPS TO TAKE	
PRIORITY ISSUE	
	Long term



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