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CONSEJO DE DERECHOS HUMANOS
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Tema 3 de la agenda

**PROMOCIÓN Y PROTECCIÓN DE TODOS LOS DERECHOS HUMANOS,
CIVILES, POLÍTICOS, ECONÓMICOS, SOCIALES Y CULTURALES,
INCLUIDO EL DERECHO AL DESARROLLO**

**Información presentada por el Instituto Alemán de Derechos Humanos,
la Comisión Nacional Consultiva de Derechos Humanos de Francia,
la Comisión Nacional de Derechos Humanos de Togo y
la Comisión de Derechos Humanos de Uganda¹**

Nota de la Secretaría

La Secretaría del Consejo de Derechos Humanos ha recibido la siguiente comunicación², que se reproduce a continuación de conformidad con el artículo 7 b) del reglamento que figura en la resolución 5/1 del Consejo de Derechos Humanos, según el cual "La participación de las instituciones nacionales de derechos humanos se basará en las disposiciones y prácticas convenidas por la Comisión de Derechos Humanos, incluida la resolución 2005/74, de 20 de abril de 2005".

¹ La institución nacional de derechos humanos que presenta la información tiene la acreditación de la categoría "A" ante el Comité Internacional de Coordinación de las Instituciones Nacionales de Promoción y Protección de los Derechos Humanos.

² Se reproduce en el anexo como se recibió, en el idioma original únicamente.

ANNEX

Review, rationalization and improvement of the mandate of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The German Institute for Human Rights, the National Consultative Commission on Human Rights of France, the National Commission for Human Rights of Togo and the Uganda Human Rights Commission wish to express their full support of the mandate of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

Our institutions commend the work of the current mandate-holder, M. Manfred Nowak, for the excellent approach he undertakes to issue every year three reports to the Human Rights Council on a thematic issue, on country-by-country-activities, and on follow up to recommendations in the context of country visits.

Our institution welcome the focus in his 2007 report³ on strengthening the protection of women from torture, including intimate partner violence, human trafficking and female genital mutilation, as a topic which needs more and continued international attention.

His 2007 report to the UN General Assembly⁴ on the role of forensic expertise in combating impunity for torture and on avoiding the deprivation of liberty as a means to preventing torture was very helpful.

We concur with a human rights strategy focusing on prevention of torture and ill-treatment rather than only to react and punish after the crime has taken place.

National human rights institutions work in their own country to contribute to the prevention of torture through the organization of trainings in relevant institutions of the State such as the police and the military in countries where this is possible.

Torture and ill-treatment are included as a priority issue in our institutions' human rights education and awareness programs.

Our institutions find it especially important to scrutinize women's access to justice during all stages of the criminal process. Survivor-friendly procedures for victims of rapes in the criminal process should be adopted by States.

Finally, we wish to encourage the Special Rapporteur

1. To take up the issue of internal investigation of allegations of torture in police, military and intelligence agencies (in countries where the latter have investigation and police powers) as well as the contribution of judicial investigations to the prevention of torture;

³ Document HRC/7/3.

⁴ Document A/62/221.

2. To keep under review the tendency of certain academic scholars and practitioners to try to relativise the absolute prohibition of torture in the context of crime and terrorism (ticking-bomb scenario);
3. To support special human rights courts - international, hybrid, and local -which investigate human rights violations of the past, including torture; and
4. To pay special attention to the situation of specific vulnerable groups, such as immigrants, asylum-seekers and the mentally disabled persons.
