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CONSEIL DES DROITS DE L'HOMME
Huitième session
Point 3 de l'ordre du jour

**PROMOTION ET PROTECTION DE TOUS LES DROITS DE L'HOMME,
CIVILS, POLITIQUES, ÉCONOMIQUES, SOCIAUX ET CULTURELS,
Y COMPRIS LE DROIT AU DÉVELOPPEMENT**

**Informations présentées par l'Institut allemand des droits de l'homme,
la Commission nationale consultative des droits de l'homme de
la France, la Commission nationale des droits de l'homme
du Togo et la Commission des droits de l'homme
de l'Ouganda¹**

Note du secrétariat

Le secrétariat du Conseil des droits de l'homme a reçu la communication² ci-après, reproduite conformément à l'article 7 b) du règlement figurant dans la résolution 5/1 du Conseil des droits de l'homme, qui dispose que «la participation des institutions nationales des droits de l'homme s'exerce selon les modalités et les pratiques convenues par la Commission des droits de l'homme, y compris la résolution 2005/74 du 20 avril 2005».

¹ Toutes les institutions nationales de défense des droits de l'homme présentant des informations sont dotées du statut A auprès du Comité international de coordination des institutions nationales pour la promotion et la protection des droits de l'homme.

² La communication est reproduite en annexe telle qu'elle a été reçue, dans la langue originale seulement.

ANNEXE

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.
