



---

## LITIGATION BEFORE THE UN COMMITTEE AGAINST TORTURE: STRENGTHENING THIS IMPORTANT TOOL AGAINST TORTURE

---

*Cosponsored by American University Washington College of Law  
and the World Organisation Against Torture*

*April 15, 2013 (8:30 a.m. – 6:00 p.m.)*

American University Washington College of Law  
4801 Massachusetts Ave. N.W., Room 603, Washington, D.C.

**Overview:** Article 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment sets forth the Committee against Torture's individual complaints procedure. Under Article 22, the Committee considers petitions ("communications") from or on behalf of alleged victims of a violation of a Convention provision(s) by a State Party that has recognized the Committee's competence to receive and consider communications (currently, 65 of the 153 State Parties to the Convention have done so). Since the establishment of this procedure, the Committee has decided numerous cases, giving a clear response to acts of torture committed around the world. This conference will gather worldwide experts, including UN experts, lawyers, NGOs representatives, scholars and practitioners, to discuss the Committee's practice, challenges and best practices moving forward to better protect and assist victims of torture.

8:30 – 9:00     **Registration**

9:00 – 9:20     **Opening Remarks**

**João Vale de Almeida**, European Union Ambassador to the United States  
(tbc)

**Claudio Grossman**, Dean, American University Washington College of Law  
and Chairperson, UN Committee against Torture

**Gerald Staberock**, Secretary-General of the World Organization Against  
Torture (OMCT)

9:30–11:00     **Panel I: The Use of Interim Measures by the Committee against Torture:  
Towards a Comprehensive Instrument for the Protection of Victims and  
Witnesses in Torture Cases**

Worldwide, victims and witnesses in cases of torture face threats and great challenges when denouncing cases of torture at national and international

levels. Protection measures are crucial for victims to present cases. Participants will discuss how to further strengthen the protection of victims alleging violation(s) of Convention provision(s) before the Committee against Torture.

**Moderator: Helene Legeay**, Middle East and North Africa programme manager

**Panelists:**

**Carla Ferstman**, Director of Redress

**Diego Rodríguez-Pinzón**, Professorial Lecturer in Residence and Co-Director of the Academy on Human Rights and Humanitarian Law at American University Washington College of Law

11:10-12:30

**Panel II: The Role of the Committee against Torture in Providing Full and Adequate Reparation to Victims**

International human rights law provides that victims of human rights violations are entitled to full and adequate reparation, including compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition. General Comment 3 of the Committee against Torture explains and clarifies the fundamental State Party obligation under article 14 of the Convention.

Participants will analyze the nature of the reparations required by the Committee against Torture and challenges towards comprehensive redress.

**Moderator: Claudio Grossman**, Dean, American University Washington College of Law and Chairperson, UN Committee against Torture

**Panelists:**

**Ibrahima Kane**, Advocacy Director, Open Society Initiative for East Africa (OSIEA)

**Octavio Amezcua**, Mexican Commission for the Defense and Promotion of Human Rights

12:30– 1:45

**Lunch**

2:00– 3:45

**Panel III: Challenges in the Implementation of the Decisions of the Committee against Torture**

This session will share best practices and identify obstacles to seeking full implementation of the Committee's decisions, drawing upon the experiences of various stakeholders (e.g., OHCHR, practitioners, State parties and victims).

**Moderator: Gerald Staberock**, Secretary-General of the World Organization Against Torture (OMCT)

**Panelists:**

**Karina Moskalenko**, Russian Human Rights Lawyer

**Christian De Vos**, Advocacy Officer, Open Society Justice Initiative

**Elsy Chemurgor Sainna**, International Commission of Jurists, Kenya

4:00– 5:30

**Panel IV: Challenges to Proving Cases of Torture before the Committee against Torture**

The Committee against Torture considers communications in the light of all information made available to it and may freely assess the facts based upon the full set of circumstances. How can victims/practitioners make sure to adequately present their allegations? What types of proof are persuasive? What is sufficient to shift the burden of proof? Panelists will discuss these questions and the interesting variation of the burden of proof throughout the complaints procedure.

**Moderator: Gabriela Echeverria**, Visiting Scholar, Human Rights Institute, Columbia Law School

**Panelists:**

**Mario Lopez Garelli**, Senior Human Rights Specialist at the Inter-American Commission on Human Rights

**Hari Phuyal**, Advocacy Forum Nepal

**Juan E. Méndez**, Visiting Professor of Law, American University Washington College of Law and UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

5:30

**Concluding Remarks**

**Claudio Grossman**, Dean, American University Washington College of Law and Chairperson, UN Committee against Torture

**Reception**

**Registration is free but required – please go to [www.wcl.american.edu/secle/registration](http://www.wcl.american.edu/secle/registration).  
CLE accreditation will be applied for as requested – 6 credits - CLE Registration - \$330  
For further information, contact: Office of Special Events & Continuing Legal Education,  
202.274.4075 or [secle@wcl.american.edu](mailto:secle@wcl.american.edu).**



This conference is being held with the financial assistance of the European Union and the Oak Foundation. Its content is of the sole responsibility of OMCT and cannot be considered as reflecting the position of its supporting institutions.