

Questionnaire for Candidates to the Committee against Torture (CAT)

1. **Name:** Thandiwe Daka Oteng
2. **Nationality:** Zambian
3. **Current position:** Managing Partner, Wamunyima and Oteng Advocates, Lusaka, Zambia
4. **The CAT and GA resolution 68/268 require experts to possess “recognized competence in the field of human rights” and “in particular in the field covered by the relevant treaty”, including to give consideration to the usefulness of “some persons having legal experience” (article 17). Please explain how you qualify as an expert.**

I possess the recognised competence in the field of human rights and legal experience envisaged under Article 17 of the Convention Against Torture and General Assembly Resolution 68/268. My qualifications are anchored in advanced academic training in international human rights law and supported by nearly thirty years of professional experience in legal practice and governance.

I hold a Master of Laws degree (LL.M) in International Human Rights Law from Lund University in Sweden and Bachelor of Laws degree (LL.B) from the University of Zambia. During my tenure at Zambia’s Ministry of Justice, including as Director of the International Law and Agreements Department (2010-2016) and later as Permanent Secretary (Administration) (2016-2024), I was responsible for advising the Government on human rights treaties, humanitarian law and international agreements. I coordinated the preparation and submission of Zambia’s state reports under various human rights treaties and contributed to the drafting of Zambia’s Initial Report under the Convention Against Torture. In 2023, I led the Zambian delegation to the United Nations Human Rights Committee to present the country’s Fourth Periodic Report under the International Covenant on Civil and Political Rights. In addition, I coordinated a national audit of correctional services (2017) leading to justice sector recommendations for improved facility conditions.

My human rights expertise also extends to constitutional development, having served as Secretary to the Technical Committee that drafted the 2016 Constitution of Zambia and as Deputy Secretary to the National Constitutional Conference from 2007 to 2010. In these roles, I was involved in broad consultations with civil society, academia, clergy, traditional leaders and other stakeholders on fundamental rights and governance issues.

I have also served on multiple boards, including the Zambia Law Development Commission and Legal Aid Board, where I contributed to improving access to justice and the protection of fundamental rights.

In terms of international legal experience, I have been engaged as a World Bank consultant on legislative reforms to strengthen governance and accountability in state owned enterprises. I also served as a member of the SADC Electoral Advisory Council providing independent advice, assessments, and recommendations to SADC on the conduct

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of elections in Member States to ensure they are free, fair, transparent and in line with regional democratic standards.

Collectively, my academic background and professional trajectory in international human rights law and legal practice, demonstrate my qualifications to serve as an expert on the Committee.

5. **According to the Addis Ababa Guidelines, “Treaty body members shall not only be independent and impartial, but shall also be seen by a reasonable observer to be so”. Do you have any experience or affiliation that could be considered a real or perceived conflict of interest (e.g. holding a position within or on behalf of your country’s government)? If so, how do you intend to address it, to ensure full independence and impartiality in the exercise of the functions?**

I am fully committed to the principles of independence and impartiality in the discharge of treaty body functions. While I have held senior positions within the Government of Zambia, including as Permanent Secretary (Administration) at the Ministry of Justice (2016–2024) and Director of the International Law and Agreements Department (2010–2016), I no longer serve in government. My current professional engagements are in the private sector as Managing Partner of Wamunyima and Oteng Advocates, as well as in independent consultancy.

I acknowledge that my past roles could give rise to a perception of affiliation with government interests. However, I intend to address this by upholding the highest standards of professional ethics, recusing myself from consideration of any matter where a conflict might reasonably be perceived and consistently demonstrating impartiality in both conduct and decision-making.

In summary, although I have past government experience, I now serve in an independent professional capacity and I am committed to ensuring that my actions as a treaty body expert would be perceived by a reasonable observer to be fully impartial and independent.

6. **If elected, how will your professional commitments enable you to dedicate the necessary time and attention to perform your duties effectively, both during and between sessions?**

I am aware that the Committee’s responsibilities demand both sustained preparation between sessions and active participation during sessions. In my role as Managing Partner, I am able to structure my caseload and delegate operational duties to partners and associates as needed during these periods to enable me remain fully committed to the Committee’s work both during and between sessions.

7. **In your view, what is the role of civil society, National Human Rights Institutions (NHRIs), and National Preventive Mechanisms (NPMs), in engaging with the Committee in relation to its mandated functions? In your opinion, how can the voices**

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and experiences of survivors of torture and other ill-treatment be meaningfully considered in the Committee's functions and working methods?

Civil society organisations (CSOs), National Human Rights Institutions (NHRIs) and National Preventive Mechanisms (NPMs) are essential partners in the work of the Committee. They provide independent, credible information that complements State reports, highlight implementation gaps, and ensure that the Committee's dialogue with States is grounded in reality. NHRIs and NPMs, in particular, are uniquely positioned to monitor detention facilities, engage in preventive measures and track national follow-up to the Committee's recommendations.

The inclusion of the voices and experiences of survivors of torture and ill-treatment in the Committee's functions and working methods is equally important. Their experiences offer insight into the human impact of violations and barriers to accountability and redress. The Committee can best reflect these voices by establishing safe, confidential avenues for participation, engaging closely with CSOs that support survivors and integrating survivor perspectives into its working methods while protecting them from reprisals. This survivor-centred approach strengthens the Committee's legitimacy and ensures that its recommendations remain responsive and practical.
