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Recommendations of the NPMs

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Article 19 (b)

To make recommendations to the relevant authorities with the aim of improving the treatment and the conditions of the persons deprived of their liberty and to prevent torture, cruel, inhuman or degrading treatment or punishment, taking into consideration the relevant norms of the United Nations.

Article 22

The competent authorities of the State Party concerned shall examine the recommendations of the national preventive mechanism and enter into a dialogue with it on possible implementation measures.

Aim of the recommendations:

- To improve treatment and conditions of people deprived of their liberty; and
- To prevent torture and other ill-treatment



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What does Article 19(b) mean in practice?

- Goes beyond UNCAT
- Not just identification of problems within a specific place of detention
- Identify systemic problems; policy and legislative gaps; and the need for training and education in order to prevent torture and other ill-treatment.



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Recommendations made after a visit:

- Identify specific problems within a place of detention
- Establish constructive dialogue
- Should have preliminary meeting with authorities in charge of place of detention
- Formal written feedback soon after visit



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Recommendations on wider issues prevention

- Identification of *any* measures required to prevent torture and other ill-treatment e.g.
 - Criminal justice reform
 - Changes in policy or legislation
 - Need for training for law enforcement personnel, staff at places of detention, judges, lawyers etc.
 - Education and sensitisation on torture prevention

Who is the relevant authority?

- Varies depending on issue
- Local issues - authorities at a particular institution
- System-wide issues – higher government, ministerial level
- NPMs should be able to decide who is the relevant authority
- Set time limit for relevant authority to respond