Mrs Barbara BERNATH

Secretary General

Association for the Prevention of Torture

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Oral Statement

***69th Ordinary Session of the African Commission on Human & Peoples’ Rights (ACHPR) from Monday, 15th November to Sunday, 5th December 2021***

Honourable Chairperson,

Honourable members of the Commission,

Ladies and Gentleman,

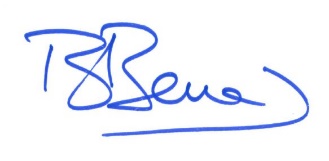
On behalf of the Association for the Prevention of Torture (APT) with the support of our partners the Anti-Torture Initiative (ATI), and the Norwegian Centre for Human Rights (NCHR), I am pleased to make a statement at the 69th Ordinary Session of the Commission to present the newly launched Principles on Effective Interviewing for Investigations and Information Gathering – also known as the Méndez Principles, and seek your possible support for dissemination.

As observed by Juan Mendez during his mandate as UN Special Rapporteur on Torture (2010-2016), the most frequent setting where torture and coercion takes place is in the course of the interrogation of suspects and for the purpose of obtaining confessions. There is therefore a need to move questioning culture away from accusatory, coercive, manipulative and confession-driven practices towards rapport-based interviewing.

The Méndez Principles are a tool to assist States in making this move. Developed by a multidisciplinary group from different regions over four years, they aim to modify law enforcement practices by replacing coercive interrogations with rapport-based interviews. Grounded in science, law and ethics, they seek to ensure better respect for human rights while enhancing the administration of justice and promoting the rule of law, thus improving civic trust in the State. Entrenched in practical experiences in a wide range of countries, the Principles provide guidance on how to conduct effective interviewing and implementing legal and procedural safeguards. They propose concrete guidance on the review and reform of existing interviewing practices and criminal justice procedures.

The support of the Principles by the African Commission on Human and People’s Rights would be extremely significant to promote the pragmatic and solution oriented approach of the Principles and their contribution to achieving the Sustainable Development Goals. We therefore call the African Commission on Human and People’s Rights to express support by welcoming the Principles and encouraging Member States of the African Union to implement them. This would contribute to not only reduce torture and ill-treatment in the continent but also ensure better outcomes of investigations and justice for all.

Thank you.



Barbara Bernath

Secretary General