



***Attention: National media***

## **Optional Protocol to the Convention against Torture**

The Joint Standing Committee on Treaties, chaired by Dr Andrew Southcott MP, tabled a report today (23 March 2004) that recommends against ratification of the Optional Protocol to the Convention against Torture.

The objective of the Optional Protocol would be to establish a system of regular visits to be undertaken by independent international and national bodies to places of detention in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.

Under the proposal, visits could be made to any State facilities, regardless of whether there were any substantive concerns on allegations of torture.

The Committee believes that there is no immediate need for Australia to ratify the Optional Protocol. Australia is already a party to, and complies with, the substantive human rights instrument - the Convention against Torture.

Australia is a leader in human rights standards and has demonstrated its commitment to proscribing and preventing torture. There is no suggestion that the independent national preventative mechanisms now in place are inadequate in Australia.

The Committee shares the Government's procedural concerns on the adoption of the draft Optional Protocol by the UN Commission on Human Rights. It also shares the substantive concerns that UN treaty bodies should be focussed on serious human rights violations.

Given the substantive concerns, the Committee questions the need for the UN's limited resources being stretched to establish further monitoring by a UN treaty body. The Committee also highlighted the need for reform of the inefficiencies of these bodies.

If, over time, the UN Subcommittee on Prevention demonstrates that it has focussed its resources on the worst human rights violations in the world, then the Australian decision could be revisited.

There is a dissenting report.

The report is available on the Inquiry website:  
<http://www.aph.gov.au/house/committee/jsct/OPCAT/>.

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