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Concluding Remarks

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CONCLUDING REMARKS

Remarks of Mark Thomson

Thank you Claudio, and thanks to the last panelists as well. As we conclude, I would like to make four main comments about issues that I found particularly interesting from today's presentations and discussions.

First, we have seen that the specific needs of vulnerable groups require monitors to have special skills to provide effective recommendations that will reduce the risk of torture to these groups. For example, the presentation on persons with disabilities clearly showed the need to employ a specific approach to these issues surrounding certain persons deprived of liberty.

Second, there must be regular contact with persons deprived of liberty. This is essential because the reports alone do not effectuate change. Organizations must regularly go to detention centers to meet with authorities and detainees. This regularity provides better protection, ensures there will be no repercussions against people that have been interviewed, and better identifies solutions to improve the situations.

Third, there is clearly a genuine appreciation, understanding, and willingness among the variety of bodies that monitor places of detention to further collaborate, both in information sharing and preparing visits. Governmental bodies are exchanging information with non-governmental institutions because good preparation requires drawing on a variety of information sources and collaboration increases the effectiveness of those particular bodies. This is a very positive development, and collaboration should continue to prevent any future abuses.

Finally, meaningfully changing relevant national legislation, penal policies, practices of arrest and interrogation, and detention center procedures would require a sophisticated multi-year campaign effort at the national, regional, and international levels. For example, the presentation by Roselyn Karugonjo-Segawa from UHRC illustrated the different ways in which the UHRC is trying to approach torture through legal reform and



lobbying. It inspires optimism when organizations collaborate with different national actors supported by international and regional bodies.

In conclusion, let me add that I very much appreciate all of the different panelists, the moderators, and all those people that helped this conference come together today. We look forward to seeing how we can work with WCL to take these ideas further by sharing this meeting, the conclusions, and other information gained today with other bodies. There is great potential and willingness to move forward and a high level of interest in persons deprived of their liberty who need as much protection as they can get.

Remarks of Dean Claudio Grossman

Let me begin by saying that we gladly accept Mark Thomson's invitation to continue this discussion in the future. Our organizations share core values and the law school holds this relationship with APT in high regard. Moreover, we all have a sense from this conference that we need to work harder to promote human dignity for everyone, and that is a very powerful motivation.

Additionally, I believe the points raised by Mr. Thomson are essential. Social considerations play a key role in addressing the situation of vulnerable groups, especially the poor. Democracy and the rule of law are values in and of themselves, but they are also tools to effect the change needed to achieve societies where everyone counts. Going forward, we need to strengthen them even further.

We should not accept discrimination based on any ground, including social status. We should consider expanding the notion of vulnerable groups to include the poor. The protection of vulnerable groups is an important aspect of a democracy, and groups such as indigenous populations, women, and the poor should not be precluded from participating as everyone else, fully in the fabric of society. In this hemisphere, with the contributions of the Inter-American system of human rights, the strength of democracy relies on the basic principle that everyone counts.

Another important topic from today's conference is the relationship between international and domestic law. We must consider how the interplay between international and domestic law can promote the full realization of protections afforded to individuals in detention. The regional systems have contributed greatly to promoting this interplay, as has the universal system. As an example, we are now seeing reactions to the reports by countries that have ratified the UN CAT and the OPCAT in which they are adopting measures to decrease the risk of torture in detention. Thus, the domestic and international mechanisms can play a crucial role in reinforcing compliance with human rights obligations.

In the achievement of our common goals, the role of the secretariat of the supervisory mechanisms cannot be ignored. Often they are permanent organs while the commissions or committees of elected members are not. We need to think about ways in which there can be cross-pollination between the secretariats of the regional and universal institutions, so that they can share and learn from each other's extensive experience. For example, members of the Secretariat of the Inter-American Commission on Human Rights (IACHR) could work for a few months with the UN and *vice versa*, as a step toward further institutionalizing the objective of strengthening collaboration on the prevention of torture. It could also be interesting for these individuals to



participate in missions together. For instance, when the IACHR prepares to conduct a mission and needs an expert, the universal system could help identify such an expert for the Commission and *vice versa*. We will need to flesh out these ideas more thoroughly after we conclude this conference.

We convened today a group of individuals with tremendous technical expertise and knowledge. There are very few places where crucial actors from different national, regional and universal institutions can come together to engage in this level of exchange. Moreover, we need to translate these exchanges into concrete proposals for action. It is cause for optimism that such knowledgeable individuals are here united by the commitment to ensuring protections for all, including the weakest members of society.

In closing, I would like to thank all of the individuals who participated in today's conference. The speakers, panelists, moderators, and keynote speaker all did a terrific job. I would also like to thank APT's Claudia Gerez, who unfortunately could not join us in person but for a happy reason as she is expecting a baby. I would also like to thank APT's Tanya Norton, Jean-Sébastien Blanc, and Mark Thomson.

Thank you to the students of this law school, especially those on the *Human Rights Brief*, which is a superb student-run publication that will produce a special issue setting forth the proceedings of this conference. Being a law student is difficult

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enough with the academic demands and often the need to incur substantial debt to study law. Hence, the fact that students make the time to dedicate to these important values is even more remarkable. I am proud of what they do and of the quality of their publication. As a member and current chair of the UN Committee against Torture and former member and president of the Inter-American Commission on Human Rights, I know firsthand how valuable the *Brief* is for us all. It bodes well for the future of the legal profession that our institution attracts women and men with such values and deep commitment.

Our thanks also go to our Office of Development and Alumni Relations, Office of Special Events and Continuing Legal Education, to the staff in my office, and to the dining

staff. The law school offers approximately seventy conferences each spring so everyone is under a lot of pressure this time of year. Nevertheless, they still treat each conference as if it were the only one. Additionally, I would like to thank the Offices of Finance and Administration, Public Relations, and Technology. Last but not least, I must thank Jennifer de Laurentiis, coordinator of the law school's UN Committee against Torture Project, who has been organizing this conference for the past several months. Today's conference was possible in great part due to her efforts.

I would like to invite everyone to a reception just outside of this room where we can continue our discussions informally.