

The Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Factsheet

Last update: June 2023

The Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international treaty which aims to prevent the mistreatment of people deprived of their liberty.

What is torture?

The prohibition on torture is an absolute, fundamental and non-derogable principle of international law, meaning it cannot be justified in any circumstances.

'Torture' is defined in the [Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment \(CAT\)](#) as:

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It requires States to allow visits by two complementary monitoring systems:

1. National Preventive Mechanisms (NPM), independent expert bodies set up by and in each State party to OPCAT with powers to visit places of detention, examine the treatment of people deprived of liberty, and make recommendations to improve their treatment and conditions; and
2. the Subcommittee on the Prevention of Torture (SPT), a United Nations body composed of 25 independent experts from a range of national and professional backgrounds who visit States parties to OPCAT to inspect places of detention, support the establishment and independent functioning of NPMs, and cooperate with other bodies for the prevention of torture in general.

NPMs and the SPT focus on identifying patterns and detecting systemic risks of torture in places of deprivation of liberty, rather than investigating individual cases of wrongdoing.

How is OPCAT relevant to immigration detention in enen 0 2 0 3 1 8 t e l l o f O P C A T o f w n re

