

**INSTITUTE FOR THE ADVANCEMENT OF JUSTICE
& HUMAN RIGHTS**

UNCAT ARTICLE 20 OPERATIONS MANUAL

For Civil-Society Submitters

Public Edition

Procedural guidance for civil-society organizations preparing
submissions to the UN Committee against Torture under Article 20

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Preface

This Manual is procedural guidance for civil-society organizations preparing submissions to the United Nations Committee against Torture under Article 20 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT). It is published by the Institute for the Advancement of Justice & Human Rights (IAJ) and draws on the IAJ's internal operational doctrine for Article 20 engagement, adapted for general civil-society use.

Article 20 establishes a confidential Committee-initiated inquiry mechanism. In practice, civil-society information is often an important input [PRACTICE]; the Convention itself refers to the Committee receiving reliable information and does not privilege any particular source. Yet civil-society organizations frequently approach Article 20 as if it were a litigation channel, an individual petition mechanism, or a quasi-judicial proceeding. None of those framings is accurate. Article 20 is an inquisitorial mechanism owned and controlled by the Committee, with civil-society submitters as information-providers rather than parties.

The Manual's purpose is to make the procedure legible to civil-society submitters, so that submissions, conduct during a possible inquiry, and public communications track what Article 20 actually requires. Submitters who understand the procedure tend to submit better material, observe confidentiality more reliably, and protect complainants more effectively. Submitters who treat Article 20 as something it is not tend to make procedural errors that weaken their submissions and harm the complainants they are advocating for.

This Manual is published openly. The IAJ maintains a separate Internal Edition with additional protocols and operational specifics that are calibrated to the IAJ's own engagement and are not appropriate for general public distribution.

How to read this Manual

The Manual is organized to be read once as a complete document, then consulted by section in working practice. Sections 1–3 establish the procedural foundation: what Article 20 is, what triggers it, how it operates. Sections 4–6 establish how submissions should be structured, what supplementary submissions are appropriate, and how confidentiality is managed. Sections 7–8 establish how Article 20 sequences with other international mechanisms and what realistic expectations submitters should hold. The Annex provides a verification table for the Article 20 procedural rules.

Rule numbers throughout refer to the Committee's Rules of Procedure CAT/C/3/Rev.7 (5 July 2023). Earlier revisions used different numbering; the Annex provides cross-references.

Disclaimer

This Manual is procedural guidance for civil-society organizations. It is not legal advice. It is not a communication from, on behalf of, or endorsed by the Committee against Torture, the Office of the High Commissioner for Human Rights, or any other UN body. Organizations preparing Article 20 submissions involving complainants in active proceedings should engage qualified counsel familiar with international human rights procedure and the domestic context of the relevant State party.

All rule numbers, procedural references, and procedural descriptions should be verified against the current Rules of Procedure and OHCHR's published materials at the time of any submission preparation. The Committee's Rules of Procedure are revised periodically; this Manual reflects the version current at the time of publication.

Source-status legend

This Manual distinguishes four types of claims by their source authority. Civil-society submitters preparing materials for the Committee should be able to identify which type of claim is being made in any statement — in this Manual or elsewhere — because each carries different external authority.

[CONVENTION] Claims stated in the text of UNCAT itself. Example: 'Article 20 inquiries are confidential' derives from Article 20(5). These claims have treaty-text authority.

[RULES] Claims stated in the Committee's current Rules of Procedure, CAT/C/3/Rev.7 (5 July 2023). Example: 'Witnesses appearing before designated members are requested to take an oath' derives from Rule 87(3). These claims govern the conduct of Article 20 proceedings and are subject to revision when the Committee adopts new revisions.

[PRACTICE] Claims inferred from the Committee's practice across completed inquiries, its annual reports, Concluding Observations, General Comments, and OHCHR working materials. These claims describe what the Committee has done and what may be expected in similar postures; the Committee retains discretion to act differently in any given case.

[PROTOCOL] Operational protocols adopted by civil-society submitters for safety, rigor, and strategic discipline. Example: 'Do not characterize Committee communications publicly' reflects the confidentiality regime but is implemented as a submitter's own protocol. These do not derive from external authority; they are choices submitters make to operate well within the Convention and Rules framework.

Where this Manual states a claim without explicit label, the surrounding context indicates its source-status type. Submitters should not represent operational protocol as Convention requirement, should not represent inferred Committee practice as if it were a fixed Committee taxonomy, and should not represent Rules of Procedure as if they were treaty text. Each carries different authority and warrants different external characterization.

Citations

Authoritative sources referenced in this Manual include:

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), Articles 1, 16, 19, 20, 21, 22, 28.
- Committee against Torture, Rules of Procedure, CAT/C/3/Rev.7 (5 July 2023), available via OHCHR.
- OHCHR, 'Confidential inquiries under article 20 of the Convention against Torture' (treaty-body guidance page), Office of the United Nations High Commissioner for Human Rights, accessed May 2026.
- OHCHR, Committee against Torture page, with current treaty-body database including session reports, completed inquiries, and Concluding Observations.
- CAT General Comment No. 1 (1997), on the implementation of Article 3.

- CAT General Comment No. 2 (2008), on the implementation of Article 2.
- CAT General Comment No. 3 (2012), on the implementation of Article 14.
- CAT General Comment No. 4 (2017), on the implementation of Article 3 in the context of Article 22.
- Belarus 2024 inquiry: Committee against Torture, references in the context of its 79th session (April–May 2024). The Committee’s acknowledgment of completion is documented in public secondary reporting, including OMCT materials; the formal annual-report entry should be consulted directly through OHCHR as the authoritative source. Secondary reporting is used here as corroboration, not as the final authority.
- Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, revised 2002, OHCHR.

Civil-society submitters should consult these sources directly. Rule numbers, opt-out lists, completed-inquiry counts, and other facts subject to update should be verified against OHCHR’s current materials at the time of submission preparation.

Section 1. The procedural framework: Articles 19, 20, 21, 22, 28

Authorities: *UNCAT arts. 19, 20, 21, 22, 28; CAT/C/3/Rev.7; OHCHR Article 20 inquiry page.*

Article 20 cannot be understood in isolation from the other procedural articles of the Convention. The Convention establishes five procedural articles that govern the Committee’s engagement with State parties. Conflating them is a common error in civil-society submissions and a source of avoidable weaknesses. Every civil-society submission should clearly track which article is being invoked.

1.1 The five articles

Article	Mechanism	Trigger and what it does
Article 19	Periodic reporting; Concluding Observations; List of Issues	Mandatory for all State parties. The State submits an initial report one year after ratification and periodic reports generally every four years thereafter, though reporting timelines are often delayed, combined, or modified by list-of-issues procedures. The Committee issues Concluding Observations. Public process. Civil society participates through shadow reports.
Article 20	Confidential Committee-initiated inquiry into systematic torture	Reliable information containing well-founded indications that torture is being systematically practised in the State party’s territory. Committee decides whether to act. Available against any State party that has not opted out under Article 28.
Article 21	Inter-State communications	Both States parties must have made the Article 21 declaration. Inter-State only — NGOs and individuals lack standing.
Article 22	Individual communications (petitions)	State party must have made the Article 22 declaration. Admissibility includes exhaustion of domestic remedies. Available only against States that have accepted Article 22.
Article 28	Opt-out from Article 20 competence	Declaration at signature, ratification, or accession. The current opt-out States are listed on OHCHR’s Article 20 page and should be verified before any submission.

Verify opt-out list and inquiry count before any external citation

The Article 28 opt-out list and the count of completed Article 20 inquiries (eleven, inclusive of Belarus 2024) are accurate as verified against OHCHR in May 2026. Each can change — a State may opt out,

withdraw an opt-out, or be added to the Article 20 docket. Before any external filing, citation, public statement, or working paper that relies on these facts, re-verify against OHCHR's Committee against Torture page and the current treaty-body database.

1.2 What this means for submitters

Five practical points follow from the taxonomy.

1. **Exhaustion of domestic remedies is an Article 22 admissibility requirement, not an Article 20 trigger.** Article 20 is triggered by reliability and well-founded indications of systematic practice. Exhaustion evidence enters Article 20 as substantive evidence of remedial failure — not as a threshold to be cleared. Submitters should never describe exhaustion as 'satisfying' Article 20.
2. **Individual cases enter Article 20 as pattern evidence, not as petitions.** Article 20 is about systematic practice. Individual cases the submitter documents are inputs to that systemic argument, not petitions seeking individual remedy. The petition channel is Article 22, available only if the State party has accepted it.
3. **Article 28 status determines whether Article 20 is available.** If the State party opted out under Article 28, Article 20 is unavailable. The current opt-out list is on OHCHR's Article 20 page and should be verified at the time of submission preparation.
4. **Article 20 is the Committee's competence, not the submitter's.** The submitter provides information; the Committee decides whether to act. The submitter does not control whether an inquiry is initiated, conducted, or completed.
5. **Article 20 findings feed Article 19.** When the Committee publishes a summary account under Article 20, it becomes part of the country's record before the Committee. The next Article 19 List of Issues and Concluding Observations cycle may incorporate the Article 20 findings; the extent and timing are within the Committee's discretion. The long-term value of Article 20 engagement is in this feedback loop, not in a one-time finding.

1.3 The Article 20 trigger is systematic torture

Source status: [CONVENTION]. Article 20(1) is textually triggered by reliable information that appears to contain well-founded indications that torture is being systematically practised in the territory of a State party. The trigger language is torture, not the broader Article 16 category of cruel, inhuman, or degrading treatment or punishment (CIDT). OHCHR's description of the mechanism uses the same formulation.

Article 20 does not establish a freestanding inquiry into systematic CIDT. This matters for submitters: any framing that treats systematic CIDT as an independent Article 20 trigger overstates the article's jurisdictional reach on its face and gives an adversary an easy argument.

CIDT evidence nonetheless remains relevant in four ways. It contextualizes the torture pattern by establishing the institutional environment within which torture occurs. It demonstrates severity escalation along the continuum from CIDT to torture. It demonstrates Article 16 non-compliance connected to the same institutional architecture that produces the torture pattern. And it supports the remedial-failure and acquiescence analysis. Submitters should not frame Article 20 as a freestanding inquiry into systematic CIDT;

where they present CIDT evidence, they should explain how it materially supports the Article 20 systematic-torture trigger, or contextualizes, escalates toward, or shares institutional architecture with the documented torture pattern.

Section 2. Speaking the Committee’s analytical language

Authorities: *UNCAT arts. 1, 16; CAT General Comments Nos. 1–4; CAT Article 19 Concluding Observations; OHCHR completed-inquiries materials. Analytical considerations are inferred [PRACTICE], not an official Committee taxonomy.*

The Committee evaluates Article 20 information against a set of analytical considerations that, for working purposes, can be inferred from its practice (see the source-status note at Section 2.1). Submitters who present material only in their own frameworks, with no translation to these considerations, place an unnecessary burden on the Committee — effectively asking it to perform the translation work. Submitters who map their material to these Committee-facing considerations tend to produce more useful submissions.

This Section identifies the categories the Committee uses, drawn from its practice across completed inquiries, from its Concluding Observations under Article 19, and from its General Comments. The Manual encourages submitters to organize their evidence with these categories in mind.

2.1 The Committee’s analytical categories

Note on source status [PRACTICE]. The Committee does not publish a fixed Article 20 evaluative taxonomy. The thirteen items below are best understood as analytical considerations that have proven useful in past inquiries and Concluding Observations — not as a rigid checklist the Committee applies in each case. They are working considerations inferred from the Committee’s practice across the eleven completed Article 20 inquiries, from Concluding Observations under Article 19, from General Comments 1, 2, 3, and 4, and from OHCHR working materials. The Committee evaluates information as a whole against the Article 20(1) standard. Some considerations overlap (institutional pattern and acquiescence interact heavily, for example), and the weight given to each varies by case. Civil-society submitters may treat these as the framework against which the Committee can be expected to evaluate Article 20 information — not as an official Committee taxonomy. The Committee retains discretion to apply other analytical framings in any given inquiry.

Terminology note. For brevity, subsequent body text, checklists, and Annex B sometimes refer to “Committee category N” or “category N.” These are shorthand for the corresponding analytical considerations identified above. The shorthand should not be read as implying the Committee uses these as fixed categories.

#	Analytical consideration	What the Committee looks for
1	Source reliability	Identity, methodology, independence, and track record of the submitter. Documented investigative methodology and credibility-screening procedures strengthen reliability.
2	Corroboration	Multiple independent sources reporting the same conduct or pattern. Special Rapporteur findings, UPR submissions, regional human rights body findings, academic and investigative literature.
3	Recurrence	Multiple incidents over time. Article 20 concerns systematic practice, which requires a temporal pattern. A single incident, standing alone, usually does not trigger Article 20; it becomes Article 20-relevant when it contributes to a pattern showing systematic

#	Analytical consideration	What the Committee looks for
		practice or corroborates an already-documented institutional pattern.
4	Geographic spread	Conduct in multiple regions or institutional locations of the State, not concentrated in a single facility or jurisdiction. National-level pattern is stronger than local pattern.
5	Institutional pattern	Conduct following identifiable institutional logic — same procedure, same role-holders, same decision pathway — across cases. Not random conduct by individuals.
6	Official involvement, consent, or acquiescence	Conduct by public officials, OR with the consent or acquiescence of public officials. Per General Comment 2, this is broader than direct infliction: failure to prevent, investigate, prosecute, and remedy all count.
7	Severity threshold	Severe pain or suffering for Article 1 torture; lesser-but-still-cruel-inhuman-degrading for Article 16 CIDT. Severity is assessed by physical and mental consequences, duration, vulnerability of victim, and context. Istanbul Protocol methodology is the recognized evidentiary baseline.
8	Purpose element (Article 1 only)	For Article 1: purpose of obtaining information or confession, punishment, intimidation, coercion, or discrimination. Article 16 CIDT does not require purpose.
9	Remedial failure	Absence of effective domestic remedy. Whether complaints can be made, investigations occur, prosecutions result, compensation is provided, the system has independence to investigate itself.
10	Vulnerability of affected class	Disability, immigration status, racial or ethnic minority status, indigeneity, gender identity, age, economic precarity, incarceration. Vulnerability is both a severity multiplier and a discrimination-purpose indicator.
11	Retaliation and reprisal risk	Whether individuals reporting conduct face retaliation. Retaliation is compounding evidence of systematic practice and is itself an Article 13 violation.
12	State knowledge and non-correction	Notice plus non-correction. Prior Concluding Observations, Special Rapporteur communications, domestic court findings, internal agency reports, and academic literature all constitute notice.

#	Analytical consideration	What the Committee looks for
13	Systematic versus episodic character	Whether the evidence describes a system or an aggregation of episodes. Conduct is systematic when widespread, institutionally facilitated, and not effectively suppressed by State response.

2.2 Using the categories in submissions

Submissions are stronger when they explicitly engage these considerations. A submission organized around the submitter’s own framework can be supplemented with a mapping table that shows, for each component of the submitter’s analysis, which Committee-facing considerations it engages. The Committee can then see, on the face of each component, which considerations the material addresses.

This is the single most useful structural change a civil-society submitter can make. The Committee and Secretariat are not asked to do the translation work; they receive material already organized in a form that supports preliminary Article 20 assessment.

Section 3. How Article 20 operates: the five procedural stages

Authorities: *UNCAT art. 20; CAT/C/3/Rev.7 rr. 75–90; OHCHR Article 20 inquiry page; Belarus 2024 (79th session) as public comparator.*

Article 20 is operationalized through Rules 75 to 90 of the Committee’s Rules of Procedure. The procedure unfolds through five stages: receipt and preliminary consideration; invitation to State party cooperation; establishment of inquiry and conduct; findings and transmission; and summary account and follow-up. Each stage has its own decision-makers, its own discretion, its own confidentiality treatment, and its own timing.

3.1 Stage 1 — Receipt and preliminary consideration (Rules 75–83)

Information submitted by a civil-society organization enters the system through Rule 75, is registered under Rule 76, summarized for the Committee under Rule 77, and held in confidence under Rules 78 and 79. The Committee may, through the Secretary-General, ascertain reliability of the information or obtain additional information under Rule 81. Three outcomes are possible.

6. **The Committee concludes the threshold is not met.** The matter ends. The Committee does not issue reasons; the submitter may not be notified. The submission becomes part of the country file and may be considered in future inquiries or in future Article 19 cycles.
7. **The Committee requests additional information.** Rule 81 authorizes the Committee to ascertain reliability or obtain corroborating information. A request through the Secretariat is a positive procedural signal but not a commitment.
8. **The Committee proceeds to Rule 82.** If satisfied that the information is reliable and contains well-founded indications of systematic practice, the Committee invites the State party to cooperate. This is the transition to Stage 2.

‘Well-founded indications’ is a preliminary threshold

[CONVENTION + PRACTICE] Article 20(1) requires ‘well-founded indications’ that torture is being systematically practised — not conclusive proof. The threshold is what is needed for the Committee to decide whether to act under Rule 82, not what is needed to make a final finding under Rule 89. The submitter’s task at Layer 1 is to satisfy the preliminary threshold convincingly, not to prove the case to the standard of a final finding. More detailed pattern material belongs in Layer 2 and in the inquiry’s later stages.

3.2 Stage 2 — Invitation to State party cooperation (Rule 82)

The Committee formally invites the State party to cooperate in the examination and to submit observations. The invitation, the State’s observations, and all subsequent correspondence are confidential.

Stage 2 is substantive, not merely procedural. Sufficient State engagement during this stage may forestall designation of inquiring members entirely. In other inquiries, Stage 2 has spanned years before designated members were named.

During Stage 2, the submitter’s active engagement may shift. The Committee’s focus is on the State party. The submitter’s role is to provide corroborating material when requested under Rule 81, and to refrain from any public statement that characterizes Stage 2 proceedings.

A risk submitters should plan for

The witness-protection framework under Rule 87(2) (no obstacles to witnesses, no retaliatory measures) attaches once designated members are named under Rule 84. At Stage 2, the State is being invited to cooperate, but the formal protective architecture has not yet attached.

In its Stage 2 response, the State may share information with institutions whose conduct is the subject of the inquiry. Those institutions may then act in ways adverse to the complainants whose cases generated the submission. Civil-society submitters should plan for this possibility and prepare complainants for it before submission.

3.3 Stage 3 — Establishment of inquiry and conduct (Rules 84–88)

The Committee designates one or more of its members to conduct a confidential inquiry. The designated members determine their own methods of work. Rule 85 invites the State to cooperate; Rule 86 contemplates a territorial visit with State consent; Rule 87 governs hearings and witness protection; Rule 88 governs Secretariat and specialist assistance.

A territorial visit requires State consent. The Committee cannot conduct a non-consensual visit. The submission and inquiry should be capable of proceeding on the documentary record alone, since State consent to a visit cannot be assumed.

Rule 87(2) provides the protective framework once designated members are named: the designated members request the State party to ensure that no obstacles are placed in the way of witnesses and that no retaliatory measures are taken. This is a request from designated members to the State, not directly enforceable by the submitter.

3.4 Stage 4 — Findings, comments, transmission (Rule 89)

After examining the findings of designated members, the Committee transmits them to the State party with any comments or suggestions. The State is invited to inform the Committee, within a reasonable delay, of action taken in response.

The submitter does not receive Stage 4 findings. The findings are addressed to the State party. The submitter may learn the substance only through the Stage 5 summary account, if one is published, or through other channels that the Committee may use.

The Committee’s findings may use the Committee’s own framing rather than the submitter’s framework. The crosswalk in Section 2 is designed to make the translation manageable.

3.5 Stage 5 — Summary account and follow-up (Rule 90)

After completion of the proceedings, the Committee may, in consultation with the State party, decide to include a summary account of the results in its annual report. Full publication of the inquiry report requires State party consent and is rare; the default is the summary account.

After Stage 5, the Committee's Rapporteur on Article 20 follow-up engages with the State party to encourage implementation. The State party's next periodic report under Article 19 is expected to address Article 20 findings. The next List of Issues, the next periodic review, and the next Concluding Observations may incorporate the Article 20 record. The Committee's use of Article 20 material in later Article 19 cycles is discretionary.

This is where the Article 20 inquiry can become a long-tail accountability mechanism. The published finding is not the end-state; it is a potential input to multiple subsequent Article 19 cycles.

3.6 Timing

Article 20 timelines are long. The Committee's practice across the eleven completed inquiries shows that meaningful engagement on a State party's systematic practice takes years.

The Belarus 2024 inquiry provides the most recent public comparator. The Belarusian government did not consent to a territorial visit; the inquiry was conducted on the documentary record. The triggering events were the August 2020 election protest repression and subsequent conduct. NGO submissions came in 2020–2021. The Committee publicly acknowledged completion of the inquiry at the close of its 79th session in April–May 2024 — approximately four years from triggering events to public acknowledgment.

Belarus involved a particular State posture, political context, and evidentiary profile. It is one data point informing realistic multi-year planning, not a predictive timeline for any specific State party. Submitters filing in 2025–2026 on conduct documented over the preceding years should plan around a multi-year horizon and not interpret silence over months as either positive or negative signaling.

Source-handling note: the Belarus 2024 timeline is supported by public secondary reporting (including OMCT materials documenting the Committee's acknowledgment of the inquiry at its 79th session). The formal annual-report entry should be consulted directly through OHCHR for precise dates and findings when citing Belarus in any authoritative document.

Section 4. Structuring an Article 20 submission

Authorities: *UNCAT arts. 1, 16, 20; CAT/C/3/Rev.7 rr. 75, 78, 81, 82; Istanbul Protocol (2002). Three-layer architecture and drafting structure are [PROTOCOL].*

Submissions of substantial scope benefit from a layered architecture. The reason is operational: the Committee's engagement depends on the submission being usable at different stages. A monolithic document is harder to use than a layered set of documents.

4.1 The three layers

4.1.1 Layer 1 — Executive Trigger Memorandum

Length: 10–30 pages, with tighter often better. Function: provides the Committee with the legal and evidentiary basis for proceeding under Rule 81 to Rule 82. Tone: institutional, restrained, free of advocacy rhetoric.

The 10–30 page range is a practical recommendation, not a Committee rule. Article 20 trigger submissions themselves are confidential; the recommendation reflects usability considerations and the need to give the Secretariat and Committee a concise, navigable basis for preliminary consideration. A tightly-structured 10–15 page memorandum with a crisp executive summary and explicit mapping to the Article 20(1) standard (reliable information; well-founded indications of systematic torture) is often more effective than a longer document. The Committee's preliminary consideration is conducted in part through the Secretariat's Rule 77 summary; detailed pattern documentation belongs in Layer 2. Write Layer 1 to be the most concise document the case can support.

Layer 1 establishes the procedural basis, the submitter's methodology and reliability, the alleged systematic practice, the geographic and institutional spread, the corroborating sources, the severity assessment, the systematic-versus-episodic character, the official involvement element, the remedial failure, and a respectful invitation to the Committee to act.

Layer 1 is designed to be the Committee's most immediately usable entry point for preliminary consideration. Its quality will materially affect how easily the Committee and Secretariat can evaluate whether the Article 20 threshold appears to be met. It must be tight, professional, and self-contained.

4.1.2 Layer 2 — Pattern-Evidence Dossier

Length: variable, often 200–400 pages with annexes. Function: provides the modular evidentiary record that supports Layer 1. Structured for navigation rather than linear reading.

Layer 2 organizes evidence by pattern type, jurisdiction, actor class, harm type, remedial failure mode, and corroboration level. The Committee consults Layer 2 as a reference work, finding within minutes all cases of a particular jurisdiction, factor type, or harm profile.

4.1.3 Layer 3 — Confidential Annexes and Witness-Risk Materials

Length: variable. Function: identifying material, medical and psychological evaluations, and witness-risk information separately from Layers 1 and 2.

Layer 3 may contain identifying data, active-litigation rosters, Istanbul Protocol-compliant evaluations, retaliation documentation, and witness statements. Submitters may request that Layer 3 receive restricted handling at the Committee, limited to designated members and identified Committee staff. The Committee and Secretariat control the internal management of submitted materials under their rules; the submitter's request does not bind the Committee. Pre-submission witness-consent processes should account for the possibility of broader internal Committee circulation than the submitter has requested.

4.2 Drafting Layer 1

Layer 1 is the most consequential single document. Its quality materially affects the usability and clarity of the submission and how readily the Committee and Secretariat can assess whether the Article 20 threshold appears to be met.

Recommended structure:

- Introduction and jurisdictional basis (2–3 pages). Article 20(1) citation; State party; ratification status; Article 28 non-opt-out; submitter identification; what the submitter asks the Committee to consider.
- Source and methodology (3–5 pages). Submitter's structure and independence; investigative methodology; Istanbul Protocol compliance; credibility-screening procedures; chain of custody; consent and anonymization protocols. This addresses Committee category 1 (source reliability).
- The alleged systematic practice (3–5 pages). Synthetic description of the conduct using the Committee's vocabulary — 'conduct by public officials,' 'severe pain or suffering,' 'purpose of punishment, coercion, intimidation, discrimination,' etc.
- The systematic character (3–4 pages). Recurrence, geographic spread, institutional pattern, State knowledge and non-correction, systematic-versus-episodic assessment. Addresses categories 3, 4, 5, 12, 13.
- Official involvement and acquiescence (2–3 pages). Article 1(1) public-official element; consent-or-acquiescence analysis; institutional architecture that facilitates and shields the conduct. Addresses category 6.
- Severity (2–3 pages). Distinction between Article 1 torture and Article 16 CIDT; documented physical and mental consequences; reference to Istanbul Protocol-compliant evaluations in Layer 3. Addresses category 7.
- Remedial failure (2–3 pages). Domestic-remedy architecture and its documented failures. Framed as substantive evidence of acquiescence and absence of effective remedy, not as exhaustion. Addresses categories 6 and 9.
- Conclusion and request (1–2 pages). Confirms that the submitter requests the Committee to consider the information under Article 20; identifies submitter's position on threshold satisfaction; offers additional information as requested; identifies designated contact; affirms respect for Article 20 confidentiality.

What Layer 1 should not contain

Rhetoric, characterization of the State response in advance, requests for specific findings, requests to 'hold the inquiry open' (Article 20 has no open-inquiry mechanism), references to domestic

litigation as if it controlled the Committee's analysis, or any claim that the Committee has already acted or will act.

Layer 1 should not exceed 30 pages. The pattern across Article 20 submissions that have triggered inquiries is short, well-organized, professionally written documents.

Section 5. Supplementary submissions: when and how

Authorities: *UNCAT art. 20; CAT/C/3/Rev.7 rr. 75, 81. Trigger criteria and submission discipline are [PROTOCOL].*

After the initial submission, additional information may become available. The discipline of supplementary submission matters: the Committee must not be flooded with undifferentiated material; nor should submitters withhold material that would materially strengthen the systematic-practice case.

5.1 When supplementary submission is appropriate

A supplementary submission is appropriate when a new development satisfies at least one of the following criteria. Each criterion ties to a Committee analytical category.

#	Trigger criterion	Analytical consideration supported
1	Materially expands the pattern — new institutional setting, new actor class, new factor variation, or new jurisdiction.	Categories 3, 4, 5
2	Demonstrates knowledge after prior notice — new conduct by an actor who had received prior notice and proceeded anyway.	Categories 6, 12
3	Documents retaliation — retaliatory action against a complainant or rights-asserter linked to the submission or to broader rights-assertion activity.	Category 11; Article 13
4	Confirms remedial futility — a domestic remedy attempted in good faith and failed, particularly where failure mode is structural.	Category 9
5	Shows recurrence across jurisdictions — the same conduct in a new region or institutional location.	Categories 3, 4, 13
6	Corroborates with independent evidence — evidence from a source independent of the submitter confirming a previously-documented pattern.	Category 2
7	Demonstrates harm to a protected or vulnerable class previously underrepresented.	Category 10
8	Shows official refusal to investigate or accommodate — a specific incident in which a State actor refused to act on a request that would have prevented or remedied harm.	Categories 6, 9, 12

5.2 When supplementary submission is NOT appropriate

Equally important is what does not justify a supplementary submission:

- Routine domestic developments that repeat patterns already documented.
- Media coverage of cases already in the record.
- Academic commentary on the submitter's work.
- Material that simply duplicates the existing pattern with similar but not novel evidence.
- Material that has not been credibility-screened under the submitter's standard methodology.

5.3 Form and routing

Supplementary submissions should be concise transmittal documents, not standalone reports. Each should identify itself as supplementary to a specific prior submission, identify the trigger criterion from Section 5.1, describe the new material in 2–5 pages, identify the Committee analytical considerations engaged, attach underlying documentation as annexes, and observe confidentiality designations. Routing is through the Secretariat under Rule 75.

5.4 Maintain a master index

Over the multi-year life of an Article 20 engagement, a submitter may transmit numerous supplementary submissions. The Committee and Secretariat benefit when the submitter maintains a running structure rather than treating each supplementary submission as standalone. A master index that the submitter keeps internally — and reflects on the cover sheet of each transmission — helps:

- List each prior submission and supplementary submission with reference code, date, and short subject line.
- Indicate which earlier submission section or evidentiary module each supplementary submission expands.
- Indicate the Committee analytical considerations engaged.
- Note the status of any underlying cases referenced.

Each supplementary cover page can carry a brief slot-in-line: 'This submission supplements the initial submission of [date, reference] by expanding the record under [analytical consideration(s)] / [trigger criterion]. It is filed under master-index slot [number].' This allows the Committee to integrate new material into the running record without rebuilding the analytical map each time.

Section 6. Confidentiality and the discipline of public communications

Authorities: *UNCAT art. 20(5); CAT/C/3/Rev.7 rr. 78, 79, 80. The public-acknowledgment boundary, the safe domestic formulation, and litigation discipline are [PROTOCOL] derived from the confidentiality regime.*

Article 20(5) provides that ‘all proceedings of the Committee referred to in paragraphs 1 to 4 of this article shall be confidential.’ Rule 78 operationalizes this: ‘all documents and proceedings of the Committee relating to its functions under article 20 of the Convention shall be confidential.’ Rule 79 closes the meetings.

The confidentiality regime binds different actors differently. Civil-society submitters need to understand precisely what they are and are not bound by.

6.1 What the submitter is bound by

A civil-society submitter is not bound by Article 20 confidentiality with respect to evidence the submitter independently possesses. Case files, medical and psychological evaluations, witness statements, court records, and any other material the submitter has gathered or developed in its work remain freely usable in any forum — domestic litigation, regional human rights mechanisms, Special Procedures communications, media engagement, advocacy publications — regardless of whether the same material has been transmitted to the Committee.

The submitter is bound by Article 20 confidentiality with respect to any communication from the Committee or Secretariat. The submitter may not disclose, characterize, quote, or imply the existence, content, status, timing, or direction of any Committee communication, State party observation, designated-member request, inquiry step, or Committee working product, unless the Committee has itself made that information public.

6.2 The public-acknowledgment boundary

What submitters may and may not say publicly

Publicly, a submitter **MAY** say:

- ‘We have submitted information to the United Nations Committee Against Torture for consideration under Article 20 of the Convention against Torture.’
- ‘We have identified what we consider to be patterns of systematic conduct.’
- ‘Our underlying evidence is drawn from cases we have documented under our own investigative methodology.’
- ‘Our submission is one input to a Committee-controlled process and we make no representation about Committee action or non-action.’

Publicly, a submitter **MUST NOT** say:

- ‘The Committee is considering / has opened / is investigating / has accepted’ the submission.
- ‘The State has been notified / has responded / has refused to cooperate.’
- Predictions about what the Committee will find or do.

- References to specific Committee members, Secretariat staff, or rapporteurs in connection with the submission.

6.3 Domestic litigation discipline

A risk distinct from public communications is the use of an Article 20 submission in domestic court proceedings. Civil-society organizations whose submissions concern conduct in courts of the State party in question may be tempted to invoke the Article 20 submission for domestic litigation purposes. The risks are substantial.

An Article 20 submission is not a Committee finding. It is civil-society advocacy material submitted to a treaty body for consideration. Treating it as more than that in domestic proceedings is a misrepresentation.

Safe domestic formulation

Where reference to the existence of an Article 20 submission is unavoidable in domestic proceedings — because opposing counsel raises it, or because the underlying conduct is itself the subject matter of the litigation — the safe formulation is:

'Independent civil-society materials have been submitted to the United Nations Committee Against Torture for consideration under Article 20 of the Convention against Torture. No inference is drawn here regarding Committee action unless and until the Committee publicly reports such action. The Committee's Article 20 procedure is confidential, and these materials are not Committee findings.'

Counsel handling domestic cases that overlap with the Article 20 record should distinguish carefully between (a) the underlying evidentiary record (freely usable) and (b) the Article 20 submission itself (not to be referenced or characterized in domestic proceedings).

Section 7. Sequencing with other international mechanisms

Authorities: *UNCAT arts. 19, 20; CAT/C/3/Rev.7 rr. 65–72 (Article 19), 75–90 (Article 20); OHCHR Special Procedures and UPR materials; regional human rights instruments. Sequencing strategy is [PROTOCOL].*

Article 20 is one mechanism among several. A submitter’s strategic posture should be calibrated to how Article 20 sequences with parallel mechanisms — Article 19 periodic reporting, the Special Rapporteurs, the Universal Periodic Review, regional human rights bodies, and other treaty bodies.

7.1 The Article 19 relationship

Article 20 findings, when published as summary accounts under Rule 90, feed the next Article 19 List of Issues and Concluding Observations cycle. The long-term value of Article 20 engagement is in this feedback loop. The published finding is not the end-state; it is the input to multiple subsequent Article 19 cycles.

The Committee has authority to manage its own docket. If an Article 20 inquiry is active and an Article 19 review approaches, the Committee may sequence its consideration to coordinate substantive treatment. Submitters should not predict this; they should plan to engage Article 19 either in parallel or coordinated with Article 20, depending on Committee case management.

7.2 Special Procedures

Special Procedures mechanisms (Special Rapporteur on Torture; Special Rapporteur on the Independence of Judges and Lawyers; Special Rapporteur on the Rights of Persons with Disabilities; and others as relevant) operate independently of the treaty body system. Communications to Special Procedures are not confidentiality-bound by Article 20.

Public Special Procedures communications and reports can corroborate the submitter’s Article 20 record without compromising Article 20 confidentiality. Joint communications among multiple mandates strengthen the corroboration record (Committee category 2). Submitters should pursue Special Procedures engagement actively in parallel with Article 20.

7.3 The Universal Periodic Review (UPR)

UPR is a public mechanism producing State-to-State recommendations. Civil-society stakeholder submissions to UPR are public; they enter the country record visibly; they create public State recommendations that may feed Concluding Observations in subsequent Article 19 cycles.

UPR stakeholder submissions are length-limited (typically 2,815 words) and follow OHCHR guidelines. They are not substitutes for Article 20 submissions; they are complements in the broader mechanism landscape.

7.4 Regional human rights mechanisms

Regional mechanisms — the European Court of Human Rights, the Inter-American Commission and Court, the African Commission and Court — vary in their competence and procedures. For State parties subject to a regional mechanism, parallel engagement is generally beneficial. Regional findings provide public corroboration that the Article 20 confidential procedure cannot.

Submitters should map the available regional mechanisms for their State party of interest and coordinate engagement strategy accordingly.

7.5 Other treaty bodies

Other treaty bodies whose work touches the subject matter of an Article 20 submission — the Human Rights Committee (ICCPR), the Committee on the Rights of Persons with Disabilities (CRPD), the Committee on the Elimination of Discrimination against Women (CEDAW), and others as relevant — should be engaged in their respective cycles. Their Concluding Observations and other outputs provide further corroboration in the multi-mechanism record.

Section 8. Realistic expectations

Authorities: *UNCAT art. 20; CAT/C/3/Rev.7 rr. 81–90; Belarus 2024 (79th session) as public comparator. Stage-by-stage success calibration and the multi-cycle horizon are [PRACTICE] inference and [PROTOCOL].*

Article 20 is institutionally slow. Civil-society organizations that approach it with short-term expectations tend to be disappointed and tend to make procedural errors driven by impatience. This Section sets out the realistic-expectations baseline.

8.1 Timing

The Belarus 2024 inquiry provides the most recent public comparator. Triggering events were in 2020; NGO submissions came in 2020–2021; the Committee publicly acknowledged completion of the inquiry at its 79th session in April–May 2024. Approximately four years from triggering events to public acknowledgment, with the inquiry conducted on the documentary record (no territorial visit) [PRACTICE].

Belarus involved a particular State posture and evidentiary profile and should not be treated as a predictive timetable for any other submission. It is the most recent data point informing realistic planning, not the timeline. Submitters filing in 2025–2026 on conduct documented over the preceding years should plan around the possibility that Committee public acknowledgment may not occur for several years. Operational plans, funding, and staffing should accommodate a multi-year horizon.

8.2 How the eleven inquiries have varied

The eleven completed Article 20 inquiries have differed in several procedural and substantive dimensions. Submitters should not assume any single inquiry is a template; the Committee adapts its working methods to State posture and evidentiary context.

- **Territorial visit, yes or no.** Most early inquiries (Türkiye, Peru, Sri Lanka with scope limitations, Mexico, Brazil, Lebanon) included a territorial visit with State consent. Some (Egypt, Belarus 2024) proceeded entirely on the documentary record after non-consent. Both outcomes can produce substantive findings.
- **Duration.** Inquiries have ranged from approximately two to four years from inception of Committee engagement to public acknowledgment, with significant variation depending on State cooperation, scope, and Committee capacity.
- **Publication.** Most inquiries result in a Rule 90 summary account in the Committee’s annual report. Full publication with State consent is rare — Brazil 2008 is the most procedurally complete example, providing the closest available analog for what a fully-published inquiry looks like.
- **State engagement profile.** Engagement has ranged from substantial cooperation (Türkiye, Brazil, Mexico, Lebanon) to minimal engagement (Belarus). The Committee’s findings reflect the State engagement profile, with stronger cooperation typically producing more detailed and contextualized findings.
- **Follow-up.** Post-inquiry follow-up under the Rapporteur on Article 20 follow-up varies in intensity. Implementation gaps documented in follow-up feed subsequent Article 19 cycles.

OHCHR’s Committee against Torture page maintains the current public record of completed inquiries; submitters preparing for a specific State context benefit from reviewing the closest available analog (federal/unitary structure; democratic/non-democratic context; cooperative/non-cooperative posture).

8.3 What ‘success’ looks like at each stage

Each procedural stage carries lower probability than the last. Submitters should internally calibrate what success looks like at each stage.

Stage outcome	What it represents	Planning implication
Submission acknowledged	Administrative acknowledgment by Secretariat. Routine; carries no Committee commitment.	Expected. Plan continues as filed.
Rule 81 information request	Secretariat requests additional information. Indicates active Committee consideration.	Positive signal. Respond with high-quality supplementary material.
Rule 82 cooperation invitation	Committee has decided the threshold is met. Material development.	Substantial milestone. Activate Stage 2 monitoring.
Rule 84 designation	Committee has decided to establish an inquiry. Major development.	Significant milestone. Rule 87(2) protective framework attaches.
Rule 89 transmission	Inquiry has produced findings. Findings transmitted to State.	Confidential. Plan for Stage 5.
Rule 90 summary account	Public summary account in annual report.	Major milestone. Engage public communications now consistent with the summary account.

8.4 What is not a measure of success

Several apparent indicators of progress are not measures of Article 20 success and should not be foregrounded in planning:

- Public attention to the submission. May help advocacy in parallel mechanisms but is not Article 20 success.
- Government denials or pushback. Indicate the submission is being noticed by the State, not that the Committee is acting.
- Coalition endorsements. Strengthen credibility but are not Committee action.

- Speed of any apparent Committee response. Article 20 is institutionally slow; speed is not a quality indicator.
- Findings that match the submitter’s framework verbatim. The Committee may use its own framing. Plans should accommodate findings that may differ from the submitter’s framing.

8.5 The long-term horizon

The compound effect of Article 20 across mechanisms is materially greater than the immediate effect of any single Committee finding. A successful Article 20 process produces compound effects over multiple Article 19 cycles and across parallel mechanisms (Special Procedures, UPR, regional bodies, other treaty bodies) for a decade or more after publication.

Strategic patience is calibrated to this compound effect, not to immediate outcomes. The first publication of findings is the beginning of a multi-decade engagement, not the end-state.

The institutional measure

Beyond the substantive case on any particular State party, a submitter’s long-term goal can include establishing the organization as a Committee-credible submitter — an NGO that the Committee, the Secretariat, and the broader treaty-body system can rely on for accurate, methodologically rigorous, procedurally disciplined material.

Indicators of Committee-credible submitter status: consistent observance of confidentiality discipline; disciplined supplementary submissions; verifiable methodology; public communications that respect the procedural posture; coordination with parallel mechanisms; track record over multiple cycles. The first sustained Article 20 engagement is the foundational engagement that establishes this status; subsequent engagements build on it.

Annex A. Article 20 rules: verification table

Article 20 proceedings are governed by Rules 75–90 of the Committee’s Rules of Procedure as set out in CAT/C/3/Rev.7 (5 July 2023). The Rules have been revised six times since 1988. Earlier sources cite different rule numbers. This Annex provides the current rule numbers, subjects, summarized operative content, and cross-references to prior numbering.

Rule	Subject	Operative content (summary)	Prior numbering
75	Transmission of information	Information may be submitted to the Committee by individuals, groups, or organizations.	Rev.3: Rule 69
76	Register	Secretariat maintains a permanent register of all information formally brought to the Committee’s attention.	Rev.3: Rule 70
77	Summary	Secretary-General prepares a summary of submitted information.	Rev.3: Rule 71
78	Confidentiality	All documents and proceedings of the Committee relating to its Article 20 functions are confidential.	Rev.3: Rule 72
79	Meetings	Meetings of the Committee concerning Article 20 are closed.	Rev.3: Rule 73
80	Communiqués	Committee may issue a communiqué regarding activities at closed meetings.	Rev.3: Rule 74
81	Preliminary consideration	Committee may ascertain reliability of information or obtain additional corroborating information.	Rev.3: Rule 75
82	Examination + cooperation invitation	If the threshold is met, Committee invites the State party to cooperate and submit observations.	Rev.3: Rule 76
83	UN documentation	Committee may obtain documentation from UN bodies or specialized agencies.	Rev.3: Rule 77
84	Establishment of inquiry	Committee may designate one or more members to conduct a confidential inquiry.	Rev.3: Rule 78
85	State cooperation	State party is invited to cooperate with the inquiry, designate a representative, and provide information.	Rev.3: Rule 79

Rule	Subject	Operative content (summary)	Prior numbering
86	Visiting mission	Inquiry may include, with State party agreement, a visit to its territory. Visit requires State consent.	Rev.3: Rule 80
87	Hearings	Designated members may hold hearings; witnesses take oath; State requested to protect witnesses from obstacles and retaliation.	Rev.3: Rule 81
88	Inquiry assistance	Secretariat support; specialized assistants may be invited. Privileges and immunities under Convention Article 23.	Rev.3: Rule 82
89	Transmission of findings	Committee transmits findings (with comments or suggestions) to the State party. State invited to inform Committee of action taken.	Rev.3: Rule 83
90	Summary account	After completion, Committee may include summary account in annual report. Full publication only with State consent.	Rev.3: Rule 84

Source: CAT/C/3/Rev.7 (5 July 2023), available through OHCHR. The Rules' text controls; this Annex provides operational summaries for working reference. The Committee revises the Rules of Procedure periodically; submitters should verify the current rule numbers and operative text at the time of citation.

Annex B. Pre-submission verification checklist

Before transmitting an Article 20 submission, submitters should verify the items below. The checklist is organized around the Committee’s analytical considerations (Section 2.1) and the protective architecture (Sections 3, 4, 6). It is intended as a working tool; submitters should adapt it to their organization’s scale, capacity, and counsel structure.

B.1 Reliability and methodology (Committee category 1)

- Submitter’s structure, funding, and independence from State actors are documented and disclosable.
- Investigative methodology applied to intake is documented (credibility-screening procedures, multi-source requirements, chain of custody).
- Istanbul Protocol-compliant evaluations are available where physical or psychological harm is alleged, prepared by appropriately trained professionals.
- The personnel conducting evaluations and intake have documented training and credentials.
- Anonymization and consent protocols are in place.

B.2 Corroboration matrix (Committee category 2)

- Each principal allegation type is cross-referenced to independent corroborating sources where available.
- Special Rapporteur communications, prior Concluding Observations, UPR submissions, regional human rights body findings, and academic / investigative literature have been mapped.
- The corroboration map is included in or accompanies Layer 2.

B.3 Pattern documentation (Committee categories 3, 4, 5)

- Recurrence is established — multiple incidents documented over a defined time period.
- Geographic spread is documented — cases identified by region, jurisdiction, or institutional location.
- Institutional pattern is articulated — same procedure, same role-holders, same decision pathway across cases.

B.4 Severity, purpose, vulnerability (Committee categories 7, 8, 10)

- Severity is documented through medical and psychological evidence. Severity assessment distinguishes Article 1 (torture) thresholds from Article 16 (CIDT).
- For Article 1 allegations, the purpose element is addressed.
- Vulnerability of the affected class is identified.

B.5 Acquiescence and remedial failure (Committee categories 6, 9, 12)

- Official involvement, consent, or acquiescence is established through evidence of conduct by public officials or by failure to prevent, investigate, prosecute, or remedy.
- Domestic remedies attempted in good faith and their outcomes are documented — as evidence of remedial failure, not as exhaustion.

- State knowledge and non-correction is documented through evidence of prior notice (prior Concluding Observations, Special Rapporteur communications, internal reports, academic literature) and continuing conduct.

B.6 Witness consent and risk assessment

- Each complainant whose case is referenced has provided current and informed consent.
- Each complainant has been advised of the Stage 2 protective gap and the possibility of broader State engagement with their case.
- A risk assessment has been completed for each case, addressing retaliation likelihood, complainant capacity, and the relationship of the case to active domestic proceedings.
- Anonymization defaults are applied: case identifiers rather than names in Layers 1–2; full identification reserved to Layer 3.

B.7 Confidentiality and communications discipline

- Personnel with access to Article 20 strategy material are identified on a need-to-know basis.
- Internal communications channels are established and personnel are briefed on Section 6 confidentiality discipline.
- Designated media contact and authorized counsel for any public communications are identified.
- Domestic counsel for cases referenced have received orientation on the litigation-discipline framework (Section 6.3).

B.8 Document and transmission readiness

- Layer 1 Trigger Memorandum complete and reviewed by senior counsel. Length within the 10–30 page range, with executive summary.
- Layer 2 Pattern-Evidence Dossier complete and indexed for navigation.
- Layer 3 Confidential Annexes complete; access-protection request prepared.
- Master index initiated for tracking of any future supplementary submissions (Section 5.4).
- Designated submitter contact identified for Committee and Secretariat communications.
- Submission reference code assigned and registered in internal record.

B.9 Source verification before filing

- Article 28 opt-out list for the State party verified against OHCHR as current.
- Current Rules of Procedure version confirmed; rule numbers cross-checked against latest OHCHR-published revision.
- Most recent Concluding Observations for the State party retrieved and referenced where relevant to State knowledge and non-correction (category 12).
- Completed-inquiry count verified against current OHCHR Committee against Torture page if cited.

Closing notes

This Manual is published by the Institute for the Advancement of Justice & Human Rights as a contribution to the working practice of civil-society organizations engaging with the Committee against Torture under Article 20. It is intended to make the procedure more legible to submitters and to support the development of submissions that are usable to the Committee.

The Manual is not legal advice. Organizations preparing Article 20 submissions involving complainants in active proceedings should engage qualified counsel. Organizations with questions about specific procedural points should consult OHCHR's Committee against Torture pages, the current Rules of Procedure, and the published practice of the Committee.

Comments, corrections, and questions on this Manual may be directed to the IAJ through its public contact channels.

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