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PRESS RELEASE

**Statement by the UN High Commissioner for Human Rights, Navi Pillay,
on the International Day in Support of Victims of Torture**

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“The prohibition of torture is one of the most absolute to be found anywhere in international law. Article 2 of the Convention against Torture is unequivocal: “No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.”

And no one is let off the hook – neither the actual torturers themselves, nor the policy-makers and public officials who define the policy or give the orders.

A total of 146 states have ratified the Convention against Torture (CAT) in the 25 years since it was adopted in 1984 – in other words, three-quarters of the world’s states. This is impressive by comparison with many other treaties, but unimpressive given the inhumanity of the practices this Convention seeks to ban. I urge more states to ratify this treaty, and its Optional Protocol, and I urge those who have already done so to ensure they abide by the very clear rules it contains.

Many states that have ratified CAT continue to practise torture, some of them on a daily basis. Other, which do not practise it themselves, enable it to happen by sending people at risk back to states where they know torture is carried out. This, too, is clearly prohibited by CAT (Article 3).

The terrorist acts that shook the world on 11 September 2001 had a devastating impact on the fight to eliminate torture. Some states that had previously been careful not to practise or condone torture became less scrupulous. State lawyers began to look for ingenious ways to get round CAT, or stretch its boundaries. The Guantanamo and Abu Ghraib prisons, in particular, became high-profile symbols of this regression, and new terms such as “waterboarding” and “rendition” entered the public discourse, as human rights lawyers and advocates looked on in dismay.

I believe we are finally starting to turn the page on this extremely unfortunate chapter of recent history, with counter-terrorism measures starting to move back in to line with international human rights standards. As a former international judge, who has dealt with more cases involving torture than I care to remember, and now as the UN’s top human rights official, I certainly hope this is the case.

Leadership is required to end this grotesque practice. In January, I welcomed the fact that Barak Obama’s very first actions as the new President of the United States included decisions

to close Guantanamo and ban methods of interrogation, such as water-boarding, which amount to torture or otherwise contravene international law. He has set an example of what a leader can do, in terms of policy and practice, to uphold the total prohibition on torture.

But there is still much to do before the Guantanamo chapter is truly brought to a close. Its remaining inmates must either be tried before a court of law – like any other suspected criminal – or set free. Those who risk torture or other ill-treatment in their country of origin must be given a new home, where they can start to build a new life, in the United States or elsewhere. I welcome the fact that in recent weeks a number of countries have agreed to take in a few people in this position, and urge others to follow suit, including first and foremost the United States itself.

There should be no half-measures, or new creative ways to treat people as criminals when they have not been found guilty of any crime. Guantanamo showed that torture and unlawful forms of detention can all too easily creep back in to practice during times of stress, and there is still a long way to go before the moral high ground lost since 9/11 can be fully reclaimed.

As CAT makes clear, people who order or inflict torture cannot be exonerated, and the roles of certain lawyers, as well as doctors who have attended torture sessions, should also be scrutinized. “Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture” (CAT Article 4).

Equally importantly, victims of torture must be helped to recover from one of the worst ordeals that a human being can face. The physical and mental scars of torture are excruciating, the effect on families devastating, and there are often long-term socio-economic effects, including a stigma that can be extremely hard to erase. Victims of torture must be compensated and cared for – for as long as it takes to enable them once again to lead a relatively normal life.

What happened in Guantanamo, while reprehensible, nevertheless pales in comparison to the scale and nature of the torture taking place in prisons, police stations and other government premises in countries all around the world. These are some of the darkest corners of our planet. Victims include not just suspected terrorists and political activists, but also minor criminals and even street-children. There are thousands of such places, and tens of thousands of victims, about whose atrocious suffering we hear next to nothing.

I call on leaders across the world to send a clear and unequivocal message that torture will no longer be tolerated, and that those who practice it are themselves committing a very serious crime.

Torture is a barbaric act. I believe that no state whose regime conducts or condones torture can consider itself civilized. I believe states themselves recognized this when they agreed the strong and uncompromising text of the Convention against Torture. And I believe, starting in this 25th anniversary year, we should all make a much stronger effort to root out these nefarious practices and the public officials who contravene the terms of this most fundamental of human rights treaties.”

The full text of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol can be found at: <http://www2.ohchr.org/english/law/>

For reports on individual countries, go to: <http://www2.ohchr.org/english/bodies/cat/index.htm>