



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

26 June 2014

Every day, in prisons, police stations and places of detention both official and secret, women, men and children are deliberately and atrociously tortured. They are made to suffer pain and humiliation, and may be made to watch vulnerable family members being tortured. They suffer prolonged isolation and lengthy interrogation; medical treatment, food and water is withheld from them for long periods of time.

There are hundreds of thousands of such victims, and tens of thousands of such places, in countries on every continent across the globe. They include dictatorships, countries in transition, and several States with long traditions of parliamentary democracy.

Torture is an unequivocal crime. Under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it is prohibited under all circumstances, without exception. Neither national security nor the fight against terrorism, the threat of war or any public emergency can justify its use.

All States are obliged to investigate and prosecute allegations of torture and cruel, inhuman or degrading treatment, and they must ensure by every means that such practices are prevented.



In fact, the prohibition on torture extends beyond national borders: States may not return a person to a country where she or he is at risk of being subjected to torture or other cruel or inhuman treatment. And every State has the duty to investigate, prosecute and punish people responsible for torture when they are found within its borders – even if the torture has taken place years before and in another country.

Furthermore, information extracted under torture may not be used in courts of law. This includes closed proceedings such as military courts, and hearings that the Government has made private for fear they could disclose sensitive information. It also means that intelligence agencies may not legally use information obtained under torture.

Any such use not only weakens the absolute prohibition of torture by creating a market for information obtained by such means: it also amounts to collusion in acts of barbarity.

Every day my Office, and human rights activists, receive new reports of torture in Asia, Africa, the Americas, Europe and Oceania. They range from severe beatings to public sexual humiliation and rape; the use of specific machinery to inflict pain; mock executions; and the obligation to witness pain being inflicted on children or other family members. In almost all cases, those who have ordered and committed these violations escape justice. They are enveloped in the cloak of national protection or explicit amnesty measures, and their protectors feign ignorance of the horror that has been committed under their authority.



Governments that collude in this impunity violate not only the victim's right to justice but also the human rights of us all. Acknowledging this, 154 States have ratified the Convention against Torture – yet many of them continue to tolerate such acts.

A further 41 States have refused to ratify the Convention, and several of them continue to permit torture and ill-treatment of detainees, either implicitly or by law. States must also ensure that victims of torture and ill-treatment obtain full and effective redress and reparation. And this obligation, too, is systematically neglected. Victims are left unattended, and the burden of their rehabilitation is borne by NGOs, many of which are supported by the UN Fund for Victims of Torture.

Today, in a growing number of countries, torture takes place in detention centres set up by unofficial militia and other non-state actors. Recently my Office has documented cases of torture by opposition groups in Ukraine and Syria – including by the Islamic State in Iraq and the Levant (ISIL) force that has recently made dramatic inroads in Iraq.

Clearly such groups feel they are immune from the rules of international law. They are wrong. Government officials, parliamentarians, judges, lawyers, medical professionals, officials from the military, security forces, law enforcement and prisons – and, yes, the leaders of opposition groups, militia and criminal gangs – need to clearly understand that they are accountable for their actions; and responsible also for their non-action – for their failure to prevent torture and cruel, inhuman and degrading treatment, and to protect the victims.



Every year, most notably in Latin America, a number of people who committed acts of torture twenty years ago or more are charged and convicted. Systems change; regimes change – but the laws prohibiting torture remain constant.

On June 26, we in the human rights community honour the world’s many victims of torture. We re-emphasize our pledge that every victim will one day gain her or his right to acknowledgment, justice and rehabilitation.

We speak clearly and loudly so that officials everywhere will hear this message: no act of torture, or use of information extracted by torture, can be tolerated. Then we return to our work to ensure that torture, wherever it takes place, is documented, investigated, prosecuted, and punished, and that reparations are made to the victims – so that they can recover as best they can from the devastating physical trauma and fear that they have endured.

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