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Human Dimension Implementation Meeting 2017

**Working Session 12:**

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Statement of the Delegation of Switzerland

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Mr. Moderator,

Switzerland thanks the two introducers for their insightful presentations.

My delegation shares the concern that human rights violations represent a condition conducive to terrorism. The respect of human rights is *essential* to prevent violent extremism; it is not an option. In this regard, Switzerland is particularly concerned with a discourse that tries to justify torture and other forms of cruel, inhumane, or degrading treatment or punishment with the fight against terrorism. We cannot accept that.

Switzerland reminds all participating States that the prohibition of torture is absolute. All States have the obligation to make sure that no one, under any circumstances, is subjected to torture or other forms of ill-treatment.

OSCE participating States have committed themselves to preventing torture and bringing perpetrators to justice in accordance with their international obligations. It seems, however, that the efforts undertaken are not enough: torture and ill-treatment persists and impunity for such acts is widespread.

In 2016, Richard Carver and Lisa Handley published a seminal study with the title “Does Torture Prevention Work?”. The two researchers examined the practice of torture prevention in 16 countries from all around the world over a time period of thirty years. The research is very relevant to our discussion because it examined the effectiveness of different kinds of preventive measures.

The study found that detention safeguards, if implemented in practice, are the most effective instruments to prevent torture. Such safeguards include that people must not be detained in secret places, that they can contact their families or friends and that they have access to a lawyer.

The second most important measure to prevent torture is actually the prosecution of perpetrators. According to the study, if there is impunity for the crime, new cases of torture are more likely to occur. This shows that participating States need to take the fight against impunity seriously – also in view of preventing torture.

The third most effective preventive measure is the establishment of an independent monitoring system of places of detention. Many participating States have already ratified the Optional Protocol to the Convention against Torture and have established a national preventive mechanism. Switzerland welcomes the work of ODIHR, which aims at facilitating exchange between such mechanisms and improving their effectiveness. Switzerland encourages participating States that have not yet ratified the OPCAT to look into establishing a national preventive mechanism and to study the institutional criteria that need to be met in order for such a mechanism to have a real effect on the prevention of torture.

Mr. Moderator

My delegation thanks ODIHR for its efforts in assisting all participating States to prevent torture. In the end, however, it is a question of political will. Switzerland calls on participating States to reaffirm their commitment to the absolute prohibition of torture and ill-treatment in accordance with their international obligations.

I thank you.