



Human Dimension Implementation Meeting 2016

Working Session 9 (Rule of Law: Prevention of Torture)

Warsaw, 23 September 2016

Statement by the Delegation of Switzerland

Mr. Moderator,

Talking about the prevention of torture, Switzerland would like to recall two facts.

1st fact: torture and other forms of cruel, inhuman or degrading treatment or punishment are **prohibited** globally, including in the whole OSCE region. It is the duty of States to prevent this crime, prosecute perpetrators and to provide redress and rehabilitation for victims.

2nd fact: torture and other ill-treatment **concern us all**. There is no State which could credibly argue that it does not occur on its territory. The severity of the problem and the specific challenges obviously differ between countries, but fighting torture and ill-treatment is nevertheless a common task.

Eradicating torture and ill-treatment lies at the core of human security and is therefore an **integral part of the OSCE's human dimension**. Switzerland and other States have made it a priority and we thank ODIHR for its dedication and efforts in supporting participating States in fulfilling their international obligations and living up to relevant OSCE commitments. In order to reinforce our commitment, Switzerland calls on all participating States to work towards a decision on the prevention of torture at the ministerial conference in Hamburg later this year.

Mr. Moderator,

Switzerland believes there are a couple of practical measures States can take to address the challenge of torture and ill-treatment. We would like to make four recommendations:

1st: As States do not like to admit that torture and ill-treatment is a problem in their country, they should **allow other actors to play a role**. The most important are civil society organizations and independent monitoring bodies.

2nd: The majority of OSCE participating States has ratified the Optional Protocol to the Convention against Torture. Yet, in order for **National Preventive Mechanisms (NPMs)** to have any meaning, they **need to be independent and strong** and have the financial and human capacity to adequately fulfill their mandate.

3rd: A way of strengthening NPMs is to **create opportunities for them to share experience and lessons learned**. ODIHR has taken the initiative to bring NPMs from the whole OSCE region together and many NPMs engage in sub-regional exchange with peers from neighboring countries.

4th: In December 2015, the UN General Assembly adopted a revised version of the **UN Standard Minimum Rules for the Treatment of Prisoners**, better known as the Nelson Mandela Rules. Applying the Nelson Mandela Rules helps States in fulfilling their human rights obligations towards persons deprived of liberty and thus in preventing torture and ill-treatment.

To conclude, Switzerland calls on all participating States to **use the OSCE as a platform for exchange and joint learning** – among themselves but also with civil society organizations and other stakeholders. We invite all participating States to **engage with ODIHR and support them** in identifying common challenges and developing innovative solutions for the prevention of torture in the whole OSCE region.

Thank you.