



IRCT Statement to Working Session No. 8

**Rule of Law I: The prevention of torture
OSCE Human Dimension Implementation Meeting
Warsaw, 2-13 October 2006**

**International
Rehabilitation
Council for
Torture Victims**

**Full and unhindered access to all places of detention is
essential for preventing torture**

Full and unhindered access to all places of detention is an essential tool in preventing torture and other forms of ill treatment. Only through unannounced inspections by independent experts can it be reliably verified that detainees and prisoners are treated humanely.

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The Optional Protocol to the Convention Against Torture (OPCAT), which entered into force on 22 June this year, is a crucial advancement in the struggle to prevent torture. The Protocol requires its signatories to open all places of detention to regular visits by independent experts to assess conditions and the treatment of detainees. The signatories are obliged to accommodate requests for such inspections at any time without the need for further consent. While the IRCT is delighted by this very encouraging development, we note with deep concern the reports and revelations over the past year that have brought attention to the existence of clandestine detention facilities on European soil. Operating such facilities threatens the rule of law, violates fundamental human rights principles and puts detainees at great risk of torture and other forms of abuse. Moreover, we note that many OSCE member states do not allow independent inspections of known prisons and other places of detention while at the same time detainees and prisoners are kept under appalling conditions and are routinely subjected to torture and other forms of ill treatment.

The IRCT calls on all OSCE's member countries' governments to do everything in their power to ensure that all detainees and prisoners are treated humanely according to the standards set out in international law. In particular we strongly encourage those members who have not yet done so to ratify the OPCAT so as to ensure that medical and other experts have unhindered access to detainees and prisoners in all places of detention at any time. By signing the Protocol, States demonstrate their commitment to preventing torture and upholding their obligation to respect the inherent dignity of the human person.

The IRCT encourages the prompt implementation of the OPCAT and the establishment of independent national visit mechanisms. The IRCT further encourage States to include medical forensic experts as part of such mechanisms in order to diagnose and document symptoms of torture and ill-treatment. In this connection the IRCT stresses that the Istanbul Principles, which has been recommended by the UN General Assembly (GA Res. 55/89 of 2000), is an essential tool in the investigation and documentation of alleged cases of torture.

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