



**SUPPLEMENTARY HUMAN DIMENSION MEETING  
PREVENTION OF TORTURE**

**Vienna, 10-11 April 2014, Hofburg, Vienna  
Opening session**

**Ambassador Greminger, Chair of the Permanent Council**

Mr. Special rapporteur Mendez,

Ambassador Lenarcic,

Excellencies,

Ladies and gentlemen,

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” This is the article 5 of the Universal Declaration of Human Rights. Since then, OSCE commitments, the International Covenant on Civil and Political Rights and numerous regional human rights instruments have confirmed that the prohibition of torture is absolute and non-derogable.

The implementation of commitments is the focus of the Swiss OSCE Chairmanship in the human dimension. All 57 OSCE participating States have committed to prohibit torture and other cruel, inhuman or degrading treatment or punishment. All 57 States are parties to the Convention against Torture (CAT) which specifically aims to eradicate torture and other cruel, inhuman or degrading treatment or punishment in the States Parties. Furthermore, many participating States have ratified the Optional Protocol to this Convention. Despite this, implementation of States' obligations and commitments under CAT and OPCAT and the OSCE commitments remains a challenge in the OSCE area.

On 16 January 2014, the Chairperson-in-Office, Foreign Minister and President of the Swiss Confederation, Didier Burkhalter, mentioned in its inaugural speech at the Permanent Council that Switzerland would put the issue of torture and its prevention back on the agenda of the OSCE. It had been ten years since there was a substantial discussion on this issue.

The prevention of torture and the protection of persons in detention has been a **priority topic** of Switzerland's human rights policy for a long time. This topic is **relevant to all 57** OSCE participating States. It is not unusual that the National Preventive Mechanism, NGOs and the media deplore cases amounting to cruel, inhumane or degrading treatment in Switzerland. The **civil society repeatedly called on the Swiss OSCE Chairmanship to put the issue of prevention of torture back on the top of the OSCE agenda** The Parliamentary Assembly of the OSCE is also regularly raising awareness on critical situations of detention and the need to respect the absolute prohibition of torture.

The **OSCE Human Dimension commitments** on the prevention of torture offer a **relevant framework** for taking action. **OSCE executive structures** have been mandated by participating States to assist them in implementing their commitments. As a result, not only ODIHR is active in this domain but also the field missions. At least 13 OSCE field missions are currently carrying out significant activities in the area of prevention of torture. This goes from support to the establishment and reinforcement of national preventive mechanisms in Kirghizstan, Ukraine, Moldova and Bosnia and Herzegovina, to training of police officers in Uzbekistan and prosecutors in Kazakhstan and to assistance in drafting of legislation in Serbia. We will hear in the next sessions how the United Nations Special Rapporteur, the Subcommittee Against Torture, the European Committee for the Prevention of Torture and the civil society work together at headquarters level and in the field to contribute to the implementation of the commitments undertaken in the context of the OSCE, the Council of Europe or the United Nations. The discussions should also help identifying where there is a need for closer collaboration between these actors and – as a consequence – contribute to foster synergies.

The issue of prevention of torture is **at the core of the actions of the Swiss OSCE Chairmanship in the human dimension**. It is a key topic of all four regional workshops organized by the Swiss OSCE Chairmanship that will produce recommendations for the final conference of the civil society at the margin of the Ministerial Council in Basel. Two of the four workshops have already taken place: the first in Belgrade in February, the second in Vienna two days ago. You will be informed about some of the recommendations of the first workshop in the working sessions of the SHDM.

The Swiss OSCE Chairmanship has also mandated the Association for the Prevention of Torture to hold a **preparatory meeting to this SHDM** yesterday and this morning. More than twenty national preventive mechanisms of the OSCE area gathered, exchanged good practices and identified common challenges. I hear that recommendations have been compiled and will be shared with all of you tomorrow morning.

Finally, this **meeting** is another key moment of our action to put the prevention of torture back on the top of the OSCE agenda. I am very honoured that the most eminent speakers on this topic replied positively to our invitation. The Swiss OSCE Chairmanship is pleased that we could set up such a strategic and interesting agenda together with ODIHR and I am grateful for the important participation. I look forward to listening to the point of views of the representatives of the Ministries of Justice, Ministries of Interior and Ministries of Foreign Affairs, Ombudspersons, National Human Rights Institutions, international organisations, independent experts and NGOs.

The **overall objective** of the Swiss OSCE Chairmanship in holding this event today and tomorrow is to highlight and strengthen the commitments of the participating States in the prevention of torture and to support the activities of the OSCE executive structures and its field operation and enable them to further develop activities in this field.

Torture will only be eradicated thanks to the joint efforts and coordinated response of all stakeholders. This is precisely why we focus on the development of synergies between organisations at the global, regional and national level in a complementary spirit. The Swiss OSCE Chairmanship wants to promote a platform for interactions between the different partners and allow for dynamic exchanges of best practices among States, Ombudspersons and civil society representatives.

Ladies and Gentlemen, the Swiss OSCE Chairmanship undertakes these initiatives with a view to encouraging the implementation of **human dimension commitments** throughout the OSCE, beginning with those overlapping with international conventions, namely the Convention against Torture (CAT) and its Optional Protocol (OP-CAT). The Optional Protocol, which has not yet been ratified by all participating States, is a fundamental instrument for combating torture in all its forms. Switzerland was, together with Costa Rica, at the origins of this Optional Protocol in 1992. Despite this early engagement, it took us seven years to ratify the Optional Protocol and few more to set up an NPM. Nowadays, it can still be argued that the working conditions of the Swiss NPM or the implementation of its recommendations could be improved further. The setting up of a functioning mechanism on the prevention of torture requires time. We are nevertheless convinced that it brings a decisive contribution to the fight against torture in all its forms.

In 2012 when I was chairing the Human Dimension Committee, I invited Mr. Juan Mendez together with APT Secretary General Mark Thomson to the OSCE. The vibrant discussion showed that there was willingness and interest not only from the United Nations and the civil society to engage more effectively with the OSCE but also from the participating States to engage in a constructive spirit. Eleven years after the last SHDM on this issue and two years after the discussion in the HDC, it is high time to take stock of the recent developments, address current challenges, shed light on the national responses and focus on the role of the OSCE in assisting participating States to prevent torture.

I wish you now a fruitful discussion and am glad to invite you to a reception sponsored by the Swiss OSCE Chairmanship after the first working session today at 18.00 in the Vorsaal.