

## **Media Statement**

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

26 June 2010

GENEVA – “Almost all states have laws that prohibit torture and declare it a crime. Yet many states practice torture and do not prosecute those who commit it. Chilling reports of torture cross the desks of UN human rights officials every day, even though those states that practice it try to keep it tucked away in small, dark places that most of us never see, and many of us would like to think could not possibly exist behind the shiny facades of our 21<sup>st</sup> century cities.”

“On Wednesday, Pakistan became the 147th State to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. As a result, there now remain 45 UN Member States which have not ratified this landmark treaty, which is one of modern civilization’s most important bulwarks against abuse of power.”\*

“Unfortunately, that does not mean that the practice of torture is confined to ‘only’ 45 countries. State authorities of many countries that are party to the Convention continue to practice torture, either because national legislation outlawing torture is inadequate, or because it is not enforced.”

“Torture is a serious crime under international law, during time of war or peace. The Convention against Torture requires states to treat torture as a crime and either to prosecute or extradite those alleged to have committed it. And even States that have not ratified the Convention are obliged to protect their citizens from it. Yet, despite this, prosecutions are rare.”

“However, there is one aspect of all this that should cause even the most ruthless and self-confident torturers to stop and think: in time, all regimes change, including the most entrenched and despotic. So even those who think their immunity from justice is ironclad can – and I hope increasingly will – eventually find themselves in court.”

“While many torturers are at liberty, and still conducting their hideous work, the list of those prosecuted for torture is growing year by year. Recent examples include cases brought against individuals alleged to have carried out torture, disappearances or extra-judicial killings in Chile and Argentina in the 1970s and 1980s. At the international level, ad hoc tribunals, including those for former Yugoslavia and Rwanda, have convicted former senior leaders for acts of torture, and the Cambodia tribunal is due to announce its

verdict on Kaing Guek Eav, the notorious Khmer Rouge prison chief commonly known as 'Duch,' on July 26. The ICC will, in future, be conducting similar cases if national courts fail to act."

"I am concerned, however, that some states rigidly maintain amnesties that save torturers from being brought to justice, even though the regimes that employed them are long gone. As a result there are a number of well-established democracies that generally abide by the rule of law, and are proud to do so, which are in effect protecting torturers and denying justice – and often, as a result, reparations – to their victims."

"Torture is an extremely serious crime, and in certain circumstances can amount to a war crime, a crime against humanity or genocide. No one suspected of committing torture can benefit from an amnesty. That is a basic principle of international justice and a vital one."

"Torturers, and their superiors, need to hear the following message loud and clear: however powerful you are today, there is a strong chance that sooner or later you will be held to account for your inhumanity. Governments, the United Nations, NGOs, human rights defenders, the media and all the rest of us need to ensure that this message is backed by firm action."

(\* ) To see which States have, or have not, ratified the human rights treaties, including the Convention against Torture, go to:

<http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>

ENDS

*Check the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment:* <http://www2.ohchr.org/english/law/cat.htm>

*Learn more about the UN High Commissioner for Human Rights, Navi Pillay:* <http://www.ohchr.org/EN/AboutUs/Pages/HighCommissioner.aspx>