

Invest in Safeguards to Prevent Torture

June 26, 2017 (Geneva/DC/Vienna/Amsterdam) – Today, on the occasion of the International Day in Support of Victims of Torture, we commemorate and honour victims and survivors of torture, and reaffirm our commitment to continuing to work together and with partners around the world to combat torture in all its forms, and in all places. At the same time, we remain vigilant against the threat of torture and other ill-treatment, and cognizant of the fact that torture can happen anywhere, anytime, and to anybody.

How can we rid ourselves of this world-wide scourge? In combating this abhorrent practice, we must first identify the risks of torture and then find solutions to reduce and eliminate them. It is well-known that the risk of torture and other ill-treatment is significantly greater during the first hours of police custody. To prevent torture during this heightened period of risk, safeguards such as access to a lawyer and notification of relatives must be put in place and implemented in practice. The independent study “Does Torture Prevention Work?” which looked at 16 countries over a 30-year period, commissioned by the Association for the Prevention of Torture, found that such safeguards, when applied in practice, are the most effective means to prevent torture. There are thus a number of feasible steps that States can take to effectively prevent torture.

Prevention is not a new concept. Thirty years ago, on the 26th of June 1987, the UN Convention against Torture and Cruel, Inhumane and Degrading Treatment entered into force, requiring States to criminalise torture and to take effective measures to prevent it. On the same day, the Council of Europe adopted the European Convention for the Prevention of Torture establishing a Committee that may visit any place of detention at any time in any Member State of the region. Half of all UN Member States have since accepted an international system of visits to all places of deprivation of liberty under the Optional Protocol to the UN Convention.

Moving away from confession-based criminal justice systems is also essential to prevent torture. In this context, the methodology for conducting interviews and investigations by law enforcement is in itself a crucial safeguard against torture. We therefore call on States to adopt effective, ethical, and non-coercive techniques in conducting investigations and interviewing all persons, including suspects, victims, and witnesses. Such an investigative interviewing model must be based on the principle of the pursuit of truth and must operationalise the presumption of innocence. By moving away from accusatory, manipulative, and confession-driven techniques, States will not only enhance the human rights compliance of their questioning and investigative practices, but also their effectiveness in solving crimes and keeping societies safe and stable.

Today, as experts on the matter, we call on every State to invest in safeguards to prevent torture and other forms of ill-treatment. Each victim of torture is one victim too many. At a time when State leaders are challenging the absolute prohibition of torture, one of the best ways to combat torture and to achieve a torture free world is to work together to ensure its prevention everywhere.

UN Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment
Professor Nils Melzer (Switzerland), 2016-present

Former UN Special Rapporteurs on torture and other cruel, inhuman and degrading treatment or punishment:

Professor Juan Méndez (Argentina), 2010-2016

Professor Manfred Nowak (Austria), 2004-2010

Professor Theo van Boven (Netherlands), 2001-2004