

**JOINT STATEMENT MARKING THE INTERNATIONAL DAY IN SUPPORT OF VICTIMS OF  
TORTURE 2023**

**As delivered by Raphael Nägeli,  
Ambassador and Permanent Representative of Switzerland to the OSCE,  
to the Permanent Council,**

Vienna, 6 July 2023

I have the honour of delivering this statement on behalf of 43 participating States: Albania, Andorra, Bosnia and Herzegovina, Canada, the Member States of the European Union, Georgia, Iceland, Liechtenstein, Moldova, Montenegro, North Macedonia, Norway, San Marino, Switzerland, Ukraine, the United Kingdom and the United States of America.

The International Day in Support of Victims of Torture gives us an opportunity to reaffirm our strong commitment to prevention and eradication of torture and other cruel, inhuman or degrading treatment. This commitment is particularly important against the backdrop of numerous reports of cases of torture from the OSCE region. While credible reports of torture continue from several OSCE participating States, today we would like to highlight that Russia's brutal military aggression against Ukraine has resulted in devastating humanitarian and human rights consequences, including large numbers of victims of torture and other ill-treatment.

Over the last 15 months, there has been numerous credible reports, including the OSCE's Moscow Mechanism reports on Ukraine, about Russia's widespread use of torture and other ill-treatment against members of the Ukrainian armed forces and civilians including children. At this year's torture prevention conference organized by DK and CH, we heard terrible accounts of beatings, electrical shock and psychological torture. We are also deeply alarmed by horrendous reports of enforced disappearances, rape and other forms of sexual violence. We strongly condemn these violations of human rights and international humanitarian law. We stand in solidarity with victims and survivors in Ukraine, in the OSCE region, and around the world, as well as their families and communities affected. Those responsible must be held to account.

Mr. Chair,

Torture and other ill-treatment are serious violations of international human rights law and international humanitarian law. Our OSCE commitments and international law obligations are abundantly clear: Any form of torture and other cruel, inhuman or degrading treatment or punishment is unequivocally prohibited, under all circumstances, without exceptions.

Yet 36 years after the entry into force of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), we are still fighting to put an end to it. These gravest human rights violations sadly remain a reality in the OSCE region in times of peace as well as in times of war.

Mr. Chair,

More action is needed. Holding perpetrators to account is critical for the victims' redress, and it is crucial if we are to prevent torture and other ill-treatment from happening in the future. As was also stressed at this year's torture prevention conference, a holistic, victim-centred and gender-sensitive approach should be at the basis of these efforts. This also applies when investigating and documenting allegations of torture and other ill-treatment, including sexual violence, as inscribed in the Principles on Effective Interviewing for Investigations and Information Gathering, the so-called "Méndez Principles".

The needs of victims have to come first, which may include separating criminal justice processes from reparations. This is particularly relevant in the case of victims that have been tortured in state custody and consequently have lost trust in the rule of law and the state institutions. We cannot wait to re-establish this trust until the judicial process is completed.

It is high time to honour our commitments, including the 2020 Tirana Ministerial Council Decision on the Prevention and Eradication of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, through effective implementation. Future generations will judge us against our deeds, not our words.

We call on all participating States to make good use of ODIHR's assistance and its internationally recognized expertise in this field. In addition, we advocate for the participating States that have not yet done so to consider signing and ratifying the UN Convention Against Torture (CAT) as well as its Optional Protocol (OPCAT).

Mr. Chair,

While we as participating States bear the primary responsibility to eradicate torture, we would like to express our strong support to the tireless and important work of human rights defenders and civil society organisations in all areas of anti-torture efforts. Civil society should always have the space to speak out and to contribute to the fight against all forms of torture and other ill-treatment without risk of reprisal.

In closing, we jointly reaffirm our clear commitment to upholding the absolute prohibition of torture and to stepping up our efforts to end its use in the OSCE region. We will ensure that the topic remains high on the OSCE agenda, and we will continue our joint efforts to end impunity for acts of torture.