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PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT

**Written statement* submitted by the Organization for Defending Victims of Violence
(ODVV), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 February 2009]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Torture Ban

As one of the most abhorrent and inhuman forms of violation of human rights, torture for eons has been systematic and organized. The nature and consequences of this act is such that its prohibition which is fully applicable in all conditions which include armed conflicts and emergency situations have been stated in the Universal Declaration of Human Rights (UDHR) and other regional and international instruments. But despite the gradual addition of the number of states that have joined the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and its Optional Protocol, and the International Covenant on Civil and Political Rights, we still witness cases of torture and other inhuman treatment or punishment occurring all over the world.

This is while at its forty-first session, the Commission on Human Rights adopted resolution 1985/33, in which it decided to appoint a special rapporteur to examine questions relevant to torture. According to this mandate a special rapporteur was appointed for the purpose of the implementation of CAT which could have a noticeable share of the global fight for the eradication of torture.

But despite the establishment of these international instruments and the effective role that the special rapporteur mechanisms can play in the prevention of torture, by denying special rapporteur's access or delaying permission for prison and detention centre visitations (A/HRC/7/3/ADD.1 15 January 2008), and or failure to officially recognize UN instruments, some governments commit acts of torture under various pretexts of fight against terrorism and provision of security for their citizens.

Reports of physical, psychological and mental torture of Palestinian and Arab prisoners all indicate the blatant violation of principles set in the Charter of the UN, the UDHR, and lack of commitment to the Geneva Four Conventions, and not recognizing UN mechanisms by Israel which continues to this day, is such that the condemnations of this regime by the international community and organizations have not had any serious effects on the situation.

Even an Israeli organization entitled Public Committee Against Torture in Israel (PCATI) has several reports of the mental and physical torture of Palestinian prisoners and calls for the immediate investigation and suspension of torture.

The recent acts of mass torture committed by the Israeli Defense Forces in the 23 day indiscriminate destructive attack on Gaza showed the ultimate peak of these systematic acts by traumatizing the 1.5 million population of the Gaza Strip. This is a blatant indication of Israel's total disregard of international law.

As an active human rights NGO and a member of the International Rehabilitation Council for Victims of Torture (IRCT), the Organization for Defending Victims of Violence (ODVV) endeavours to reduce these types of inhuman treatments and behaviours by holding technical sittings, education workshops and close national and international cooperation against torture, and calls for further attention to be given by the United Nations (UN) and the Human Rights Council (HRC) to this vicious phenomenon.

The ODVV calls upon the UN and the HRC to boost their enforcing support for the special rapporteurs and preventive mechanisms in countries, and to reduce these forms of violence by the implementation of effective enforceable mechanisms. The Israeli secret detention centres must be located by the mechanisms that the UN has created such as the mandate of special rapporteurs and the conditions of Palestinian detainees and prisoners must be discovered and prisons and detention centres must be visited and inspected.

The UN and the HRC must call upon Israel to:

- 1 – Sign and ratify the Optional Protocol on the CAT.
- 2 – Recognise the authority of CAT, and to add the existing articles of the Torture Convention in its domestic laws.
- 3 – To immediately stop committing acts of torture, inhuman treatment and behaviour against Palestinian prisoners.
- 4 – To be committed and observe UN conventions, resolutions and the Geneva Four Conventions, especially regarding the treatment of prisoners of war.

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