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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 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.

[23 August 2008]

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

Torture and other Cruel Behaviour or Treatment

As one of the blatant forms of human rights violations, attention has been made towards torture both in international law and the domestic laws of many countries, to an extent where several conventions and treaties have been compiled and ratified for the prohibition and ban of this inhuman treatment. The appearance of the International Convention against Torture in 1984 indicates the serious attention of the international order towards this phenomenon.

Despite some positive developments where the international community has worked hard to eliminate torture, and forced governments to observe human rights and ban torture and other degrading treatments, but still many states commit acts of torture. Even some countries that claim to be human rights defenders, justify committing acts of torture on prisoners and suspects in special circumstances.

The inhuman treatment of Al-Qaeda suspects by the United States government, Iraqi and Afghan people, the Guantanamo Bay prison which holds citizens of over 40 countries, and the silence of the international community and legal organizations is a clear example of the situation.

Despite claiming to be democratic, the Israeli justice system deems torture as a legitimate means to get confessions and information from suspects. Nearly 12,000 Palestinian and Arab prisoners are currently in Israeli prisons for various reasons. There are 300 women and 120 children under the age of 18 among these prisoners. Many prisoners have been subjected to organized torture, which very often inflict permanent physical and emotional damages and or even result in their deaths.

On the pretext of fighting against terrorists and the provision of safety for its citizens, the Israeli government commits acts of torture. This is while international law forbids acts of torture and inhuman treatment even in special circumstances.

It was hoped that following the ratification of the Universal Declaration of Human Rights, the 2 International Covenants, international conventions and additional protocols by most countries, we would witness the elimination of torture from national laws and international procedures, but the reports of the inhuman treatment of big powers for various excuses under the title of provision of security, peace and democracy and human rights in various parts of the world, shows otherwise.

The banning of torture can be secured through extensive initiatives and solutions. By getting membership of the International Rehabilitation Council for Torture Victims (IRCT) the Organization for Defending Victims of Violence (ODVV) – a nongovernmental organization active in the field of human rights – has made the efforts to reduce inhuman treatments as one of its main activities, and calls upon the United Nations and the Human Rights Council (HRC) to pay further attention towards this phenomenon.

The prosecution of torturers, regular prison visits, the training of prison officers and law enforcement personnel, the observation of justice for the victims of torture and their families, and education for all of society are some of the ways to prevent and prohibit inhuman treatment.

While commemorating the International Day in Support of Victims of Torture each year, the ODVV provides and holds special workshops and education courses for experts, and the taking of more important steps requires the cooperation of national, international relevant officials and the civil society.

The lack of practical commitment of governments towards international conventions, and their failure to cooperate with UN human rights bodies, and ignoring the numerous UN General Assembly and HRC resolutions, are all the main obstacles in the way of the observation of human rights, and UN must act with more determination.

Stressing on tolerance, mutual respect, human rights and fundamental freedoms, and the rule of law, the ODVV strongly condemns all forms of torture and declares the following:

1 – Reaffirming of commitments to fight and prevent torture as a priority with multilateral cooperation for the promotion of human rights and fundamental freedoms.

2 – Stress on group commitment for the acceptance of each other and learning from each other, and respect to fundamental rights of all humans.

3 – Endeavour for participation in legal, executive and judicial measures for the purpose of prevention of acts of torture.

4 – Stress on the point that torture is one of the most despicable acts of violation of human rights and human dignity. Article 5 of the UDHR states: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” In the international level, during the 1950s in Europe, 1960s in the United Nations, 1980s in Africa, several documents were adopted all of which referred to the prohibition of torture., but despite all the efforts of the international community, torture and inhuman treatment is still visible all over the world.

5 – Call upon all members of the international institutions and community to implement special standards to find a solution for banning torture – these standards being transparency in other words.

One of the important mechanisms in the implementation of torture ban is the inspection of detention centres and prisons. Through regular and independent inspections of places of detention, acts of torture can further be prevented. These inspections can take place within a specific national or international assignment, or they can be unofficial and be done by members of the civil society with the cooperation of relevant authorities.

6 – Stress on the compensation of victims of torture, and restoration of honour, and realisation of their rights, are all indicative of the absolute determination of making up for the wrong doings.

7 – Multilateral efforts with special attention to victims of torture, to improve their situations or restoration of their honour which include, medical, psychological and social care and legal support.

8 – Stress on pursuing treatment systems with a reference to the solution to improve the situation which include helping the victims' families and their therapy, and also social programmes to improve the environment in which the victims live.

9 – Stating the fact that the promotion of the reintroduction of the victims of torture is a crucial fact. The aim for the reintroduction is so that the victims do not get cast away from society, but for them to be able to once again have an active part in social living.

10 – Call upon international institutions to create and implement mechanisms and standards for women, children, refugees, asylum-seekers, migrants and other groups that need special protection from torture.

11 – Stress on the role of NGOs as one of the groups that influence the fight against violence against humans.

12 – Point out the importance of education as one of the most important mechanisms to prevent torture, in such way that the common responsibility of all individuals of society are highlighted for torture ban.

13 – Call upon all governments to design and implement policies for their education system, so that human rights education becomes an inseparable part of education programmes.

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