



**Supplementary Human Dimension Meeting on Prevention of Torture  
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Session 3**

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Ladies and gentlemen!

I'd like to express our gratitude to the Swiss chairmanship, for their leadership in placing the issue of torture prevention back into the high political agenda of the OSCE after a gap of some 11 years. The OSCE, as the largest regional organisation in the world, is well positioned to be at the forefront of the fight against torture and needs to show consistent leadership on this matter – as it is clear that torture persists and this is obviously a matter of concern to all of us.

This year a number of similar meetings to discuss the fight against torture are going to be held and hence we would emphasise the issues that IRCT stands for in this fight, in particular the issue of the right to rehabilitation for torture victims.

Torture persists, unabated and its legacy is devastating. Only in 2012 according to data from Amnesty International, 112 countries tortured their citizens. As we know, torture has a traumatic and life-changing impact. It requires multiple interventions in order to restore dignity and to enable victims to be as fully functional as possible.

Victims of torture and ill-treatment have suffered a serious violation of their rights and have an explicit right to rehabilitation as an integral part of the right to reparation under international human rights and international humanitarian law, and as specifically referred to in Article 14 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

And let us be clear, any measure that is not taking into consideration the rehabilitation needs of torture survivors is a half measure as it neglects the needs of victims. A comprehensive approach to the fight against torture has the victims' needs as a primary focus. All international and domestic mechanisms to fight torture are not sufficient enough in reaching their goals if they are not complemented with a proper referral mechanism for torture victims with a clear structure for providing rehabilitation services to victims, their families and their communities.

While it is abundantly clear that when a State tortures its citizens it has a duty to provide rehabilitation, few do. In addition to the need of survivors to rehabilitate, what we learn from survivors during this process can contribute significantly to torture prevention work and also to fighting impunity.

Longer term responses in the fight against torture should be connected to rehabilitation work so that we can learn of and raise awareness of the trends, patterns and the ways to prevent torture through the testimony, information and evidence that survivors disclose over what can be years of rehabilitation. What we know about torture when working with its victims in rehabilitation contexts informs and is fundamental to torture prevention work.

The need to look into the aspects of supporting torture victims was in the thinking of those behind the UN CAT General Comment 3, as the professionals in this field understand that there is no way forward without rehabilitation and due attention to the torture victims. Most importantly states have an obligation under these provisions to ensure that victims of torture and ill-treatment have free and prompt access to rehabilitation services and such access must not be dependent on the victim seeking justice against the perpetrators through judicial remedies. Rehabilitation services must be holistic and victim-centred and must include medical and psychological treatment as well as social, vocational, legal and family support as appropriate.

Today there is a growing sector of health and legal professionals, who are capable of delivering rehabilitation services.

The IRCT works with a large number of such professionals and is a health-based umbrella organisation that supports the rehabilitation of torture victims, the prevention of torture and the fight against impunity worldwide.

Our members comprise more than 140 independent organisations in over 70 countries. We are the largest membership-based civil society organisation to work in the field of torture rehabilitation and prevention.

Despite the work carried out by organisations involved for decades in the fight against torture, most states do not implement the right to rehabilitation in accordance with established international norms and obligations although rehabilitation is an integral part of the fight against torture and ill-treatment and an important prerequisite for the pursuit of justice and prevention of torture.

Domestic laws, public policies and state budgets frequently do not ensure the implementation of the right to rehabilitation.

Where State rehabilitation programmes are in place, victims are often reluctant to access these due to a lack of independence from State institutions.

Victims of torture and ill-treatment are often not properly identified and recognised by relevant mechanisms and procedures, which prevents them from accessing rehabilitation services.

Victims of torture and ill-treatment who are members of vulnerable and marginalised groups face particular difficulties in accessing rehabilitation on account of their disadvantaged status.

In many countries, rehabilitation work is negatively affected by insecurity, threats, attacks or other forms of reprisals against victims of torture and ill-treatment and rehabilitation service providers.

IRCT recommends to the OSCE to:

- ❖ Ensure that the fight against torture – through rehabilitation, prevention and fighting impunity - is high on the political agenda of the organisation during the coming years
- ❖ Ensure that the right to rehabilitation is duly reflected in the meeting agendas as an integral and crucial part of the fight against torture and torture prevention work
- ❖ Create and provide adequate resources to an Advisory Panel on Torture Prevention under the ODIHR Human Rights department, similar to the existing ones on Freedom of Association and Assembly, Freedom of Religion or Belief etc.

IRCT recommends to the OSCE participating States to:

- Ensure that the domestic legal framework provides an effective right to rehabilitation;
- Ensure that state policies and budgets enable availability and accessibility of appropriate holistic rehabilitation services to all victims of torture and ill-treatment within their jurisdiction;
- Ensure that all victims of torture and ill-treatment have a genuine free choice between state or non-state services, that all costs associated with the services are covered by the state, and that the validity of non-state services are fully recognised;
- Ensure that victims of torture and ill-treatment have access to rehabilitation services at the earliest point in time, including by giving access based on a mental and physical health evaluation rather than on the pursuit of remedies;
- Ensure that victims pursuing remedies are afforded victims' status and psychological support at the earliest possible point in time;
- Create a safe, trusting and enabling environment for accessing and providing rehabilitation services. Facilitate the continued capacity development of practitioners to adequately cover the demand for rehabilitation within their jurisdiction;
- Ensure transparency through regular reporting, including disaggregated data, on measures taken to implement the right to rehabilitation with full respect for victims' right to confidentiality.