

Check against delivery

25th anniversary of the Committee against Torture



Statement by Ms. Mercedes Doretti,

**Chairperson of the Board of Trustees
United Nations Voluntary Fund for Victims of Torture**

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Palais des Nations Room XII
Geneva

Esteemed colleagues,
Excellencies,
Ladies and Gentlemen,

It is a great pleasure to be here with you today to mark the anniversary of the Committee against Torture and to celebrate the important work it has done in the past 25 years. This anniversary comes at a time of enhanced focus on victims of torture and their right to receive redress, including rehabilitation, with a view to restoring their dignity and their access in all aspects of life. General Comment n. 3 on Article 14 of the Convention against Torture spells out clearly both the rights of victims and the obligations of States under in this regard. Resolution 22/21 adopted last March by the Human Rights Council highlights the importance of appropriate rehabilitation to all victims without discrimination of any kind, provided either directly by the public health system or through the funding of private rehabilitation facilities.

Over the last three decades, the international community has travelled a long way in the fight against torture. The renewed emphasis on a victim-oriented approach is much welcome by the United Nations Voluntary Fund for Victims of Torture, whose Board of Trustees I have the honour of chairing. It is important to recall that the mandate entrusted to the Fund by the General Assembly back in 1981 - at a time when no other torture-related mechanisms existed - was visionary and victim-centered.

Visionary, as it expanded the coverage of the former United Nations Voluntary Trust Fund for Chile to respond to "the plight of victims of torture wherever torture takes place". Assistance is to be distributed through a variety of non-governmental channels, including associations of victims, groups of lawyers and/or doctors, thus taking into full account the cultural and political context in which proposals are put together. Victim-centered, as the victim's needs are to be addressed "in a purely humanitarian spirit". The restoration of their dignity as right-holders is to be placed centrally in the design and implementation of awarded assistance projects.

Over the years, the Board and Secretariat of the Fund have accumulated expertise and best practices in all parts of the world in the provision of assistance to victims of torture and

their family members. In 2013 alone, through 262 awarded projects, the Fund is reaching out to 57'000 victims in more than 70 countries, for a total of US\$ 7 million in grant-making. We estimate that over the last 30 years, the Fund has provided financial assistance for over US\$ 140 million to more than 600 organizations worldwide. The accumulated experience of our grantees is a wealth of know-how and practices on how best to provide assistance to victims of torture.

The Fund for Victims of Torture champions a holistic approach to victim's assistance by supporting projects that provide medical, psychological, educational, legal and social assistance. We were encouraged to see this approach validated by the Committee against Torture in paragraph 13 of the General Comment, as we have come to realize that a holistic approach yields fruits in the long path of recovery and rehabilitation for victims of torture. Furthermore, the provision of assistance, be it medical, psychological or legal, is a complex and long-term engagement. As a matter of fact, almost half of the Fund's current grantees have been receiving a yearly award consecutively for the last 10 years and more. Assisting victims of torture and their family members requires specialized capacity, which can be only acquired over years. At the same time, the Fund is present in new and emergency scenarios, through emergency grants and special proposal calls to respond to human rights crisis where new victims of torture need immediate assistance. This is currently the case for Syria and Mali.

The Fund believes that the General Comment on Article 14, by placing squarely on the State Party the responsibility of rehabilitation and redress for victims of torture, will help us take further the imperative of assisting them. In many countries of the world, provision of assistance to victims of torture is not a priority, either due to lack of capacity or political will. In other instances, this obligation is increasingly taken on board - *albeit* in a scattered and short-term manner. In most cases, non-governmental entities continue to carry the main burden of this human rights obligation.

It is our hope, as Board of Trustees of the Fund, that governments will start to realize how critical the work done by our grantees is - all of them are non-governmental organizations - and will help strengthen these organizations. In too many places, organizations assisting victims of torture are left to find their own funding, and receive little state support. While it is critical for organizations assisting victims of torture to maintain their

independence, often complementarity and cooperation with state institutions are a key component of their work and it reinforces the services provided to the victims.

This does not mean that all organizations providing assistance to victims of torture should be integrated within state mechanism. On the contrary, it is critical for victims of torture, since many of them have been torture by state agencies, to be able to choose their rehabilitation services, including at a non-state facility. Building on the clarifications provided by General Comment 3, we hope that the collaboration between governmental and non-governmental services to victims of torture will be strengthened and that Governments will provide more support to organizations and actors that assist victims of torture.

By the same token, within the framework provided by General Comment n. 3, the reporting process under Article 14 of the Convention could be a good opportunity for both the State Party and the NGOs to exchange information and learn about each other's programmes. And, hopefully, also for Member States to translate their compliance with Article 14 of the Convention in contributions to the Voluntary Fund, which often represents the sole lifeline for rehabilitation centres across the world.

Regrettably, over the last five years, contributions to the Fund have been far from matching the steady demand for assistance worldwide and reflecting what appears to be a renewed focus by the international community on a victim-oriented approach. Since 2008, the Voluntary Fund for Victims of Torture has lost some 30% of its contributions, going from an all-time high of US\$ 11.6 million in 2008 to US\$ 8.2 million in 2012. Also, the Fund's donor base has dramatically shrunk, going from 38 donors in 2008 to 22 donors¹ in 2012, whereas victims of torture are present in all parts of the world.

Mr. Chairperson,

Before concluding, there are two challenges that are particularly close to the work and experience of the Fund that I would like to highlight here. All human rights activists present in this room are probably confronted with the first one: I am talking about the protection of those who are at the service of victims of torture. Despite the fact that States have a

¹ Afghanistan, Argentina, Andorra, Austria, Canada, Chile, Denmark, Finland, Germany, India, Ireland, Kuwait, Liechtenstein, Morocco, Norway, Peru, KSA, Switzerland, Turkey, UAE, UK, USA.

responsibility to protect those giving assistance to victims of torture, these individuals are often subjected to intimidation and reprisals. This is exemplified by the fact that two out of three nominees for the 2013 Martin Ennals Award for Human Rights Defenders are grantees of the Voluntary Fund². States are not only responsible to assist victims, they also have to ensure protection for those who help them.

The second challenge I would like to mention is the responsibility of the States to investigate and prosecute non-state actors who perpetrate acts of torture. This obligation is clearly detailed in General Comment n. 3, in paragraphs 7 and 42. I have witnessed time and again how the failure of the state to investigate and prosecute acts of torture committed by non-state actors deprives the victims of their right to redress, in particular compensation and rehabilitation. Even in the few cases where prosecution takes place, the victim often do not receive sufficient rehabilitation or compensation. Some of these cases are notorious and treaty bodies have been seized of them. I am glad that the Fund is able to support some of these victims and their families in their demands to state authorities to conduct proper investigations and prosecutions.

In conclusion, let me reiterate my appreciation for the invitation extended to me by the Chairperson of the Committee against Torture. The General Comment on article 14 will play a key role in supporting our work with the victims of torture and provides the framework within which to reinforce each other's work.

Thank you very much.

² In 2013, Mario Joseph and Joint Mobile Group.

