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Statement by Dr Alice Jill Edwards

**SPECIAL RAPPORTEUR ON TORTURE AND OTHER CRUEL,
INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT**

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Honourable Chair, Distinguished Delegates

This is my first report to the UN General Assembly since taking up the position in August this year. I appreciate the trust placed in my appointment. I pledge to fulfill the mandate in accordance with relevant resolutions.

The struggles we face as an international community to eradicate torture and other forms of inhuman treatment or punishment are formidable. Our challenges derive from many sources. But foremost among them, and underlying all solutions, is the need for leadership and political will.

The absolute prohibition of torture interfaces with many aspects of our lives. Wherever the state has authority, it has an overarching responsibility to pursue its policies in the wider interests of its people. This means doing so in respect for their human rights and within constitutionally set limits on governmental authority; and above all, in the absence of violence.

Torture is an extreme form of abuse of power. It is cruelty, plain and simple, with effects that are life-altering, inter-generational, and hard to repair. Although there continue to be too many sensational forms of torture, I want to remind that the most common incidents falling within the class of prohibited conduct include inhuman or degrading harm that is carried out every day and, at times, routinely. We ignore these so-called ‘minor’ assaults at our peril, because even a single incident of inhuman treatment can trigger fear, suspicion and paranoia. And going down this path makes it difficult to govern,

weakening a state's short-and-long-term political and economic stability, international standing, and most alarmingly, international peace and security. An act of torture is an *erga omnes* violation – it threatens all of us and our desire to live in a peace-abiding world built on human rights foundations. I call on all states to root out torture in all forms.

Mr. Chair, my report sets out my vision for the mandate, my approach to engaging on the key issues of the day, and announces my next two reports. The persistence of torture is a litmus test for the state of our world, and I'm afraid, we are far from a world where peace is enjoyed in all societies and by all peoples.

For these reasons, I will be placing emphasis on leadership at all levels, and ask authorities to help me and their societies identify the challenges and be part of the solution. True leadership acknowledges gaps and shortcomings, is open to innovation and adjustments, stamps out negative practices, and supports remedies and healing from past abuses through setting a positive example. I know there are a wide number of countries committed to the torture prohibition and who are taking both small and bold actions to build torture-proof societies. Yet even in those countries, there will be incidents, setbacks, lapses, challenges, and areas for improvement. I ask you to acknowledge that there is no perfect state, and I believe that once we get this reality out of the way, we can move forward to implementing solutions.

I will engage with you constructively and cooperatively, and support you to bring about positive changes in your societies. I am aware that expertise and solutions are available locally, guided by international law, and I will stay attuned to local conditions, legal traditions and context.

The voices of victims and survivors will be amplified, and I will apply feminist and equality-focused methods with a view to ensuring representation and inclusiveness.

The three pillars of my programme of work will be: first, addressing the root causes of torture and other inhuman treatment to prevent incidents or patterns; second, seeking justice and accountability for victims and survivors; and third, promoting international law.

So much has already been written about the topic of torture in the 37 years of the mandate. That does not however mean that it has all been said. We must stay alert to new challenges, fresh perspectives and breakthrough developments.

My upcoming two reports to be delivered in 2023 will seek to fill gaps and share good practices:

The topic of my next report, to be presented to the March session of the Human Rights Council next year, will look at challenges and good practices concerning national criminalization, investigation and prosecution of torture

offenses. Although the last thirty years has seen a incredible range of forms of international justice, justice and reconciliation will only be a meaningful reality when national systems operate as the primary responder. For this reason I will be reporting back on national practices.

My third report will – with the goal of tackling root causes of torture – collect practices from around the world on how to foster community-responsive, representative and accountable police and law enforcement.

I look forward to receiving your contributions to both these reports, for which separate calls will be issued.

Additionally to these activities, and with the goal of promoting adherence to the prohibition, I will be particularly engaged in three emerging areas:

- First is discussions on the regulation of the manufacture, trade and use of equipment which by design or application causes unnecessary or disproportionate pain or suffering.
- Second is the increasing use of technology in law enforcement and military operations, which has both positive as well as troublesome uses.
- Third is in respect of finding alternative means to confession-oriented criminal justice systems, which have been found to incentivize abusive and coercive interrogation tactics. I recommend to you the Mendez Principles on Effective Interviewing for Investigations [and Evidence Gathering], and the recently updated Istanbul Manual [on effective investigation and documentation in respect of the crime of torture].

- I further announce that I intend to update the ‘General Recommendations of the Special Rapporteur on torture’, which were landmark recommendations of their day. I will prepare these as a contribution to two important anniversaries which will take place during my term: the 40th anniversary of the UN Convention against torture, and the 40th anniversary of the Special Rapporteur on torture. I will further be promoting the ratification of UN Convention against Torture as the subject-specific treaty and for which universal ratification is within reach.

In conclusion, I cannot speak here today without mentioning that my appointment is that of the first woman in the position. This is after close to 40 years of rapporteurship on torture and other inhuman treatment and punishment. To the many women working to improve their communities every day and the hundreds of thousands of victims of torture and ill-treatment who are women and girls this has a special significance; it has significance for women in leadership in all domains, as one of the longest-standing and most male dominated UN mandates; and it has substantive significance in so far as I will bring lived experience and my own commitment to an equal world to the post.

Thank you for your attention.

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