

FDFA Action Plan against Torture



Schweizerische Eidgenossenschaft
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Confederazione Svizzera
Confederaziun svizra

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Overview

Freedom from torture and ill-treatment is a basic human right. International law prohibits these practices at all times and under all circumstances. Despite this absolute and universal ban, torture remains widespread around the world, not only during armed conflicts and other situations of violence but also in peace-time.

Torture and ill-treatment are an offence to human dignity and put human security at risk. These practices destroy individuals, families and societies. They jeopardise a conflict-free co-existence and lasting peace, and hamper economic development.

The fight against torture and ill-treatment has long been a Swiss foreign policy priority. The action plan maps out how Switzerland intends to uphold the absolute and universal ban on torture and ill-treatment, as well as the steps it will take to ensure its effective implementation. It also explains how Switzerland will support the international monitoring and enforcement of the torture ban, and sets out the forms its cooperation with other states, international organisations and non-governmental organisations (NGO) will take. The aim of this action plan is to close the gap between the law and practice, and improve the protection of individuals from torture by enhancing the use of prevention measures, the prosecution of perpetrators and redress for the victims.

1 International context

1.1 Legal framework

International customary law and several international conventions prohibit torture and other cruel, inhuman or degrading treatment or punishment¹ at all times and under all circumstances. The ban on torture is a peremptory norm of international law from which no derogation is permitted (*ius cogens*). The use of torture and ill-treatment is never justified, whether in war, in the fight against terrorism or crime, or in any other circumstance. This absolute and universal ban was enshrined in the Universal Declaration of Human Rights and in international humanitarian law at the end of the Second World War. Even the Hague Conventions of 1899 and 1907 on the Laws and Customs of War on Land already addressed the right of prisoners of war to be treated humanely. The first international legal text which provided for an explicit and universal ban on torture was the 1948 Universal Declaration of Human Rights.

The 1984 Convention against Torture is the core international legal instrument for combatting torture and other cruel, inhuman or degrading treatment or punishment.² The Optional Protocol to the Convention of 2002³ provides for the independent monitoring of places of detention by national and international bodies.

The Geneva Conventions and their Additional Protocols⁴ also explicitly prohibit torture and cruel treatment; their provisions apply equally to armed non-state actors. As well as these universal treaties, there are also a series of regional agreements on the subject. They include the 1985 Inter-American Convention to Prevent and Punish Torture and the 1987 European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.⁵

Under these international treaties, states pledge to adopt national provisions aimed at preventing torture, prosecuting the perpetrators and seeking redress for the victims.

¹ This is the official legal term for the subject of this action plan. For the sake of simplicity, we use the shortened form ‘torture and ill-treatment’.

² Switzerland ratified the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in 1986 (AS 1987 1307). It also recognises the voluntary individual complaint and inquiry procedures.

³ Switzerland ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2009 (AS 2009 5449).

⁴ All have been ratified by Switzerland.

⁵ It was ratified by Switzerland in 1988 (AS 1989 150).

1.2 Political framework

In addition to the binding norms of customary international law and international treaties, there are a number of standards and principles on the subject of torture and ill-treatment. By providing practice guidelines, standards help the state authorities and other relevant actors honour their legal obligations. Standards also serve as a tool of interpretation, in other words they help to clarify what the legal terms and provisions of international law mean in practice.

These global and regional standards include the UN Standard Minimum Rules for the Treatment of Prisoners (*Nelson Mandela Rules*), the UN Rules for the Treatment of Women Prisoners (*Bangkok Rules*), the UN Standard Minimum Rules for the Administration of Juvenile Justice (*Beijing Rules*), and the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).

In the 2030 Agenda for Sustainable Development, states pledge to advance the realisation of human rights for all, including their protection from violence. Goal 16 of the Agenda calls on states to promote peaceful and inclusive societies, and to provide access to the law and justice for all. Preventing torture and ill-treatment helps to make societies more peaceful and less violent. Goal 16.2 of the Agenda explicitly addresses torture by calling on states to end the torture of children. Another important provision of the Convention against Torture is the right of victims to legal redress. Here, the 2030 Agenda and the Convention against Torture are mutually reinforcing.

1.3 Challenges and progress in the global fight against torture

Growing global instability has made the enforcement of the absolute ban on torture increasingly difficult. By adopting restrictive laws and derogations from international standards in the name of national security concerns and anti-crime and anti-terror efforts, states undermine the protection of individuals from torture and ill-treatment. The rise in incarceration rates around the world leads to prison overcrowding. Consequently, detention centres become a breeding ground for torture and ill-treatment.

Migration is viewed as a security problem, with more attention given to discouraging asylum seekers, refugees and other migrants than protecting them from torture in their country of origin, destination or transit. Incendiary speeches that justify torture and ill-treatment have led to a growing acceptance of these practices as a 'necessary evil'.

Nevertheless, some progress has been made. For example, there is more widespread acknowledgement of the importance of transparency and accountability. In addition, a growing number of states have ratified the Convention against Torture and its Optional Protocol, and greater consideration is now given to the specific protection needs of people in vulnerable situations such as women, children, the elderly, the disabled and the LGBTI community. Safeguards have been introduced at international, regional and national levels to mitigate the risk of torture and ill-treatment during the first hours of police custody; their implementation is also subject to closer scrutiny. National human rights institutions, torture prevention mechanisms and civil society organisations contin-

ue to speak out and fight against all forms of torture and ill-treatment despite the difficult circumstances, threats and reprisals they often face.

Corruption abets torture

The UN and recent academic research have identified a clear link between the prevalence of corruption and the use of torture and ill-treatment. Corruption poses a direct and indirect threat to the right to life and the right to protection from torture and ill-treatment. For example, if detainees do not pay a bribe, they may be tortured or mistreated in order to extract a confession. Victims, witnesses and whistle-blowers are arrested, tortured or even killed so as to stop them from disclosing corrupt practices.

The FDFA is committed to ensuring a human rights-based approach to anti-corruption efforts. To this end, it contributes to the creation of a user-friendly manual on best practices for tackling corruption. This document shows that a focus on human rights, the victims of corruption and state responsibility can, in fact, complement and reinforce conventional anti-corruption efforts.

2 Switzerland's commitment to a world without torture and ill-treatment

Switzerland's commitment to a world without torture and ill-treatment is in keeping with its humanitarian tradition and the Federal Constitution.⁶ This action plan fleshes out the FDFA's human rights strategy on the fight against torture and helps to advance the implementation of Switzerland's foreign policy strategy, specifically its goal of promoting peace, security, sustainable development and prosperity.

2.1 Humanitarian tradition

Switzerland's commitment dates back to the 19th and 20th centuries when, together with the International Committee of the Red Cross (ICRC), it called for the creation of international humanitarian law. This paved the way for the prohibition of the use of torture in armed conflict. At the end of the Second World War, Switzerland campaigned for the use of torture, including during armed conflict, to be universally prohibited under international human rights law.

In the 1990s Switzerland assisted with the drafting of the Optional Protocol to the UN Convention against Torture. It was a Swiss national, Jean-Jacques Gautier, who was behind the founding idea of the Optional Protocol, namely the opening up of all places of detention to independent inspectors. Even before Gautier's initiative, Switzerland had already demonstrated its support for the European Committee for the Prevention of Torture. In the 1990s Switzerland explicitly made the fight against torture a priority of its human rights policy.

⁶ Art. 10 para. 3 of the Federal Constitution (AS 1999 2556) prohibits torture and all forms of cruel, inhuman or degrading treatment or punishment. Art. 25 para. 3 of the Federal Constitution also stipulates that no person may be deported to a state in which they face the threat of torture or any other form of cruel or inhuman treatment or punishment. Finally, Art. 54 para. 2 states that Switzerland will promote the protection of human rights through its foreign policy.

International Committee of the Red Cross: helping detainees for 150 years

The International Committee of the Red Cross ICRC was founded in Geneva in 1863 to assist victims of armed conflicts and other situations of violence. It visits prisoners and maintains constructive dialogue with the detaining authorities, with a view to securing humane treatment and conditions of detention for all detainees. Through these activities, the ICRC aims to prevent the use of torture, ensure that detainees benefit from adequate accommodation, food, water and health care, and guarantee that the necessary legal safeguards are in place. Its dialogue with the detaining authorities is confidential. Following its visits, the ICRC shares its findings with the detaining authorities and advises on the national and international standards and instruments designed to improve the situation of detainees. In its role as host state, Switzerland is one of the ICRC's most important partners and largest donors.

2.2 Promoting human rights and international law

Switzerland's foreign policy objective of promoting respect for human rights is enshrined in the Federal Constitution. International law establishes a framework for global peace, security, prosperity and protection for all. This is why Switzerland upholds and promotes international law.

The right to protection from torture and ill-treatment is a key concern of international law. Torture and ill-treatment are an offence to human dignity, an infringement of a basic human right, and a violation of a peremptory norm. As such, non-compliance with the ban on torture and ill-treatment undermines the entire body of international law.

Torture and ill-treatment inflict harm both on the victim and the perpetrator. The impact of these practices is also felt by family members and the community as a whole. The harm they cause, especially trauma, is passed on to children, such that their rights are affected, too. Torture is de-humanising and ruins lives. When committed on a large scale, it can tear entire communities apart.

Certain situations can leave people extremely vulnerable. Individuals who are deprived of their liberty are vulnerable because of the power imbalance that exists between them and those who detain them. The social environment and status of women, children, the elderly, the disabled, members of the LGBTI community, migrants and others render these groups particularly vulnerable. Switzerland is committed to protecting, without discrimination, the human rights of these individuals. To achieve this, it must first identify their specific needs and adopt measures that take these into account.

2.3 Promoting peace and security and preventing violent extremism

Torture and ill-treatment are frequently used in situations of armed conflict or violence. While torture is a negative consequence of armed conflict, its widespread and systematic use, coupled with other human rights abuses, may beget more violence and even be the root cause of conflict. Research has found that terrorist attacks and the emergence of violent extremist organisations are strongly correlated with the use of state violence (e.g. torture, extrajudicial killings and arbitrary arrest).⁷

Switzerland firmly believes that lasting peace and security can only be achieved by protecting human rights and the rule of law. The prevention of torture and ill-treatment is therefore a key component of Switzerland's foreign policy commitment to preventing violent conflicts and violent extremism.⁸

Anti-terrorism and national security arguments are no excuse for torture and ill-treatment. Not only are torture and ill-treatment absolutely prohibited under international law and engender more violence, research has shown that they are not effective instruments for extracting information or preventing terrorist attacks.

2.4 Promoting sustainable development

Human rights and fundamental principles like non-discrimination, participation, accountability, transparency and the rule of the law are essential to achieving sustainable development. This is why Swiss development cooperation efforts also include the promotion of human rights.

Goal 16 of the 2030 Agenda for Sustainable Development emphasises how important universal access to law and justice and the establishment of effective and accountable institutions are for peaceful, fair and inclusive societies. Switzerland's commitment to the rule of law and justice is also reflected in its development cooperation activities. These include efforts to prevent and curb violence and torture.

In addition to the negative consequences cited earlier, torture exacts enormous economic costs and, as such, is an obstacle to sustainable development. Anti-torture efforts are another way in which Switzerland helps to advance global sustainable development.

⁷ See James Bowen and Arsla Jawaid, Why Preventing Violent Extremism Needs Sustaining Peace, International Peace Institute, 2017.

⁸ National Action Plan to Prevent and Counter Radicalisation and Violent Extremism, Bern, 2016.

Prevention of torture and ill-treatment in Switzerland

The Federal Constitution prohibits torture and all forms of cruel, inhuman or degrading treatment or punishment. Switzerland has ratified all regional and global treaties on torture. It regularly reports to the UN Committee against Torture.

As stipulated in the Optional Protocol to the UN Convention against Torture, Switzerland has established its own torture prevention mechanism, the National Commission for the Prevention of Torture (NCPT). The NCPT regularly visits all places where individuals are detained and systematically monitors forced returns by air. Switzerland maintains dialogue with the UN Subcommittee on Prevention of Torture and hosts regular visits by the European Committee for the Prevention of Torture.

While torture as such is not a problem in Switzerland, preventing ill-treatment remains a national priority. Independent monitoring bodies have reported on cases of alleged ill-treatment in Swiss prisons and police violence. Detention conditions in Switzerland are largely considered adequate, though several shortcomings have been identified. In response, Switzerland now implements a number of policy instruments more systematically, including the Istanbul Protocol, which sets down the standards for investigating and documenting torture and ill-treatment.

3 Lines of action and measures

Line of Action I

Legal framework: reinforcement of the absolute and universal prohibition of torture and ill-treatment

OBJECTIVE

The universal recognition of the absolute prohibition of torture and ill-treatment and the reinforcement of the international legal framework.

Measure 1

Switzerland affirms the absolute and universal prohibition of torture and ill-treatment.

Switzerland affirms the prohibition of torture and ill-treatment through its bilateral contacts, multilateral forums and public statements. Switzerland recalls the absolute and universal character of the prohibition of torture and ill-treatment, and regularly calls on states and armed non-state actors to honour their obligations.

Measure 2

Switzerland promotes the ratification of the UN Convention against Torture and its Optional Protocol.

Switzerland supports the international *Convention against Torture Initiative* (CTI) in its mission to ensure that all states are party to the UN Convention against Torture by 2024. A total of 163 out of 197 states⁹ have ratified the UN Convention against Torture to date. Switzerland also promotes the ratification of the Optional Protocol to the UN Convention against Torture, which deals specifically with prevention efforts; 88 out of 197 states have ratified it to date. Switzerland uses bilateral meetings to lobby for the ratification of this Protocol and other anti-torture treaties. Within the framework of the Universal Periodic Review (UPR) of the UN Human Rights Council, Switzerland recommends that states accede to these treaties.

⁹ As at August 2018.

Measure 3

Switzerland is committed to ensuring that the legal framework provides effective protection from torture for all.

If the norms of general international law are to be applied in practice, states must have a clear understanding of their meaning and content. This explanatory work is performed by the treaty bodies such as the UN Committee against Torture and international tribunals like the International Criminal Court. Switzerland regularly offers its input to the 'General Comments' published by the treaty bodies. These texts aim to clarify and interpret specific treaty provisions.

Over the years, numerous international standards have been developed that address the conduct of state authorities and non-state actors. They include the UN Standard Minimum Rules for the Treatment of Prisoners. Switzerland is committed to the implementation of existing standards and promotes the formulation of new norms, such as those on non-coercive interrogation techniques and safeguards to prevent torture during criminal and other investigations.

Switzerland also supports efforts by the UN General Assembly, the UN Human Rights Council and other institutions to ensure that the international legal framework provides everyone with effective protection from torture and ill-treatment. For example, Switzerland is committed to ensuring that the content and implementation of the Global Compacts on Refugees and Migration take sufficient account of the need to protect refugees and migrants from torture.

Switzerland is of the opinion that the death penalty contravenes the prohibition of tor-

ture and other cruel, inhuman or degrading treatment or punishment. For this reason, it supports the universal abolition of the death penalty.¹⁰ In doing so, it contributes to the realisation of the right to protection from torture and ill-treatment. Switzerland is a member of the Alliance for Torture-Free Trade, a coalition of some 60 states, which seeks to end the trade in goods used to carry out the death penalty and torture.

Reform of the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules)

The Standard Minimum Rules for the Treatment of Prisoners were first adopted in 1955 by the UN Congress on the Prevention of Crime and the Treatment of Offenders. In 2011, work began on reforming these rules; Switzerland was part of the process from the outset. Four years later (2015), the UN General Assembly adopted the revised Standard Minimum Rules, which are now known as the Nelson Mandela Rules. The reform has brought about significant improvements, particularly as regards the right of detainees to medical treatment and the prohibition of prolonged solitary confinement. As part of its activities within the UN and the OSCE and in its bilateral exchanges with governments, Switzerland is committed to ensuring the implementation of these standards.

¹⁰ FDFA Action Plan for the Worldwide Abolition of the Death Penalty, Bern, 2017.

Line of Action II

Effective implementation on the ground preventing torture, combating impunity and promoting redress

OBJECTIVES

States and armed non-state actors honour their legal obligations with regard to the prevention of torture, the prosecution of perpetrators and redress for victims.

Measure 4

Switzerland promotes and supports safeguards against the use of torture and ill-treatment.

The most effective way to prevent torture and ill-treatment are linked to detention: enabling contact with family and friends, access to a lawyer and a medical examination by an independent physician. The second most effective measure is the criminal prosecution of alleged perpetrators of torture or ill-treatment. The third is the inspection of places of detention by independent bodies.

Switzerland promotes the implementation of these and other measures stipulated in the UN Convention against Torture and its Optional Protocol, and in international standards. Specifically, it supports the establishment and sound running of independent national prevention and monitoring mechanisms. It is also committed to improving conditions of detention and the human rights training of prison and security personnel.

Independent monitoring of detention facilities

Systematic visits to detention facilities and reporting on the visit findings is an effective tool for preventing torture. Switzerland encourages states to create independent national preventive mechanisms (NPMs) that meet the specifications set down in the Optional Protocol to the UN Convention against Torture. It also provides them with technical support, where necessary. NPMs must be professionally staffed and managed. They must also have sufficient funding and have access to all places of detention.

Switzerland supports the training of observers and facilitates the sharing of knowledge and experience between different NPMs. Here, Switzerland works with the Geneva-based Association for the Prevention of Torture (APT). It was a Swiss national, Jean-Jacques Gautier, who was behind the idea underpinning the Optional Protocol, namely the independent monitoring and inspection of all places of detention. He also founded the APT.

Measure 5

Switzerland supports the punishment of acts of torture by assisting with the documentation and investigation of alleged cases, and demands the prosecution and punishment of perpetrators.

The thorough investigation of torture allegations and the punishment of crimes help not only to prevent further cases of torture but also afford victims the opportunity to obtain justice. Although the UN Convention against Torture obliges states to investigate, prosecute and punish cases of torture, this rarely happens in practice. With a view to remedying this situation, Switzerland is committed to helping other states prosecute acts of torture. It supports efforts, particularly those undertaken by non-governmental organisations, to document and investigate cases of torture.

Bilateral consultations and exchange of expertise

Switzerland regularly raises the issue of torture and ill-treatment in its bilateral consultations with other states. Specialist consultations and dialogue on human rights provide an opportunity to discuss in greater depth ways to prevent torture and improve compliance with international norms. Switzerland also promotes the mutual secondment of experts with selected countries. Experts from the prison service, the police, monitoring bodies and civil society carry out reciprocal visits, which enable them to share and learn from one another's experiences.

Measure 6

Switzerland promotes the right to redress and rehabilitation, and supports rehabilitation services for survivors of torture.

Under the UN Convention against Torture, all victims of torture and ill-treatment are entitled to redress and rehabilitation. However, as is the case for prevention and punishment, there is a considerable gap between law and practice. Switzerland is committed to upholding the right to redress and rehabilitation. To this end, it backs the development of indicators that measure implementation performance. It supports rehabilitation centres and provides financial assistance to the UN Voluntary Fund for Victims of Torture.

Indicator-based promotion of the right to redress and rehabilitation

It is well-known that victims of torture worldwide rarely receive redress or rehabilitation assistance, even though these are a requirement under international law. What is less well known is how far states honour their obligations and comply with international standards. Shortcomings must first be identified before an appropriate policy and measures can be devised that safeguard the right to redress and rehabilitation in practice. Switzerland supports a project launched by International Rehabilitation Council for Torture Victims, which aims to develop, test and use indicators to measure how well states perform in this regard.

Line of Action III

International monitoring and enforcement: strengthening multilateral institutions and anti-torture mechanisms

OBJECTIVE

International institutions and mechanisms are able to monitor and ensure that both states and armed non-state actors honour their obligations.

Measure 7

Switzerland supports international monitoring mechanisms at the global and regional level.

A number of international institutions and mechanisms deal exclusively with the prohibition of torture. The UN Committee against Torture monitors the implementation of the UN Convention against Torture and issues recommendations to state parties. The UN Subcommittee on Prevention of Torture, which currently counts Switzerland as a member,¹¹ conducts visits to the states parties to the Optional Protocol and advises them on National Preventive Mechanism matters. Switzerland supports such institutions and mechanisms with policy, funding and staffing support.

The UN Special Rapporteur on Torture, a position currently held by a Swiss national,¹² is tasked with examining questions related to torture in the broadest sense, undertaking fact-finding country visits and handling individual complaints. Regional mechanisms include the European Committee for the Prevention of Torture.

Other international institutions and monitoring mechanisms which deal with the subject of torture include the UN Human Rights Committee, the UN Committee on the Elimination of Discrimination against Women and the UN Committee on the Rights of the Child. In the UN Human Rights Council, Switzerland uses the Universal Periodic Reporting (UPR) to remind states of their obligations under the UN Convention against Torture. It regularly issues recommendations and monitors their implementation. At the regional level, the European Court of Human Rights hands down binding rulings on the prohibition of torture.

Support for the UN Special Rapporteur on Torture

Switzerland offers policy and material support to the UN Special Rapporteur on Torture, a mandate established in 1985. It also provides the Office of the Special Rapporteur with qualified personnel and funding for specific projects. The Special Rapporteur is tasked with carrying out fact-finding country visits, sharing his findings and issuing recommendations. He also receives individual complaints, brings his influence to bear on states, discusses issues pertaining to anti-torture efforts, and reports to the UN General Assembly and the UN Human Rights Council.

¹¹ The UN Subcommittee comprises 25 independent experts. In 2018, Daniel Fink succeeded fellow Swiss national Hans-Jörg Bannwart, who first took his seat on the Subcommittee in 2012.

¹² In 2016 the UN Human Rights Council appointed Swiss national Prof. Nils Melzer as the 6th UN Special Rapporteur on Torture.

Measure 8

Switzerland is committed to a strong international criminal justice system and supports committees of inquiry and redress initiatives.

Torture and cruel, inhuman and degrading treatment not only constitute crimes against humanity, but are also a war crime. To ensure that these crimes do not go unpunished, Switzerland is committed to reinforcing the institutions of the international criminal justice system. It encourages states to accede to and implement the Rome Statute of the International Criminal Court, and to cooperate with the ICC.

Switzerland also supports the work of international and national ad-hoc courts and hybrid tribunals, which have the power to pass binding judgments. It is committed to the independence of the judicial authorities and the enforcement of their rulings. Where states are unable or unwilling to investigate and punish systematic crimes as defined by international law, Switzerland supports the power of the UN Security Council to refer such cases to the International Criminal Court.

To enable victims of torture to obtain redress, Switzerland supports the creation of international committees of inquiry and fact-finding missions, as well as initiatives to compensate the victims of torture. These should protect the rights of victims, remind states of their obligations and prevent breaches and violations.

Human rights violations in Syria: Switzerland supports committees of inquiry

In 2011, Switzerland supported the UN Human Rights Council resolution to establish an Independent International Commission of Inquiry on the Syrian Arab Republic. The Commission is tasked with investigating alleged violations of international human rights law and identifying those responsible with a view to their criminal prosecution. The Commission has interviewed more than 6,000 witnesses and victims and has published over 20 reports on torture and other human rights violations.¹³ Carla del Ponte, former Swiss Chief Public Prosecutor and Chief Prosecutor International Criminal Tribunal for the former Yugoslavia, was a member of the Commission from 2012 to 2017.

In the UN General Assembly in 2016, Switzerland supported the creation of an independent committee to assist the investigation and prosecution of perpetrators of war crimes and human rights violations in Syria. The International, Impartial and Independent Mechanism, as it is officially called, is tasked with preparing files for criminal proceedings in national, regional or international courts. It began its work in August 2017.

¹³ As at August 2018.

Line of Action IV

**Cooperation and reinforcement:
partner governments, international
organisations and civil society**

OBJECTIVE

**Improved cooperation with actors
involved in the fight against torture,
strengthened role of civil society
and reinforcing the status of
Geneva as an international centre
of anti-torture expertise.**

Measure 9

Switzerland steps up its cooperation with other actors, encourages them to work better together and promotes Geneva as an international centre in the fight against torture.

Switzerland steps up its cooperation with other governments committed to combating torture, especially through the UN and regional forums. All of the UN's organisations specialised in combating torture are based in Geneva. Many international non-governmental organisations and academic institutions involved in the fight against torture are also based in Geneva. Collectively, these organisations form the most important cluster of anti-torture expertise in the world. Switzerland promotes cooperation among these actors and champions the role and influence of Geneva in order to boost the effectiveness of worldwide efforts to combat torture.

Measure 10

Switzerland supports the work of international organisations in the fight against torture.

In addition, there are many regional organisations actively involved in the fight against torture. Switzerland strengthens the Organization for Security and Co-operation in Europe (OSCE) and its Office for Democratic Institutions and Human Rights (ODIHR) with regard to their anti-torture efforts. It also supports the activities of the Council of Europe and its institutions, as well as other selected regional organisations, including the Association of Southeast Asian Nations (ASEAN).

Promoting anti-torture efforts within the OSCE

In 2014, during its Chairmanship of the OSCE, Switzerland put the prevention of torture at the top of the political agenda. It advocated for OSCE states to renew their commitment to torture prevention and helped set up an anti-torture programme. Here, it sent personnel to the Office for Democratic Institutions and Human Rights (ODIHR) and provided funding. The primary focus of the programme is promoting National Preventive Mechanisms in the OSCE region and implementing the UN Standard Minimum Principles for the Treatment of Prisoners. Switzerland's contribution has enabled the ODIHR to provide OSCE states with more effective support in meeting their legal and policy obligations.

Measure 11

Switzerland supports human rights defenders and non-governmental organisations in their efforts to combat torture.

Non-governmental organisations and human rights defenders play a key role in all areas of anti-torture efforts (prevention, prosecution, redress). They make a vital contribution to the realisation of the right to protection from torture. Switzerland supports civil society actors and promotes their cooperation with the relevant governments and international organisations. It is committed to protecting human rights defenders in accordance with Swiss guidelines on the subject.¹⁴ To this end, Switzerland cultivates partnerships with selected non-governmental organisations in Switzerland and abroad which have the ability and necessary influence to bring about positive change.

Greater civil society participation is an accelerator of change

Worldwide, non-governmental organisations uncover cases of torture, help the survivors and exert pressure on governments to intensify their efforts to combat torture. They are an important source of information for international bodies such as the UN Committee against Torture. They monitor whether governments are actually implementing the recommendations issued by international bodies.

The FDFA supports the World Organisation against Torture (OMCT), a global network of anti-torture NGOs based in Geneva. The OMCT facilitates contact between local organisations and the UN Committee against Torture and other international organisations, and ensures that the voice of civil society is heard. It trains local civil society organisations and helps to protect those involved in anti-torture activities from reprisals.

¹⁴ Swiss Guidelines on the Protection of Human Rights Defenders, Bern, 2013.

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