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Committee against Torture

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Opening Address by

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Representative of the Secretary-General

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Chairperson,

Distinguished Members of the Committee,

Esteemed colleagues,

On behalf of the Secretary-General, I declare open and welcome you to the seventy-seventh session of the Committee against Torture. The Committee has a full programme of work ahead and I would like to start by wishing you a productive and fruitful session.

Distinguished Members of the Committee,

June this year marked the 30th anniversary of the [Vienna Declaration and Programme of Action](#), a landmark document that paved the way for human rights breakthroughs and led to the creation of the Office of the United Nations High Commissioner for Human Rights (OHCHR). Building on the Universal Declaration of Human Rights, delegates at the World Conference on Human Rights in Vienna in 1993 overcame differences and affirmed the universality, indivisibility and interdependency of human rights. The Vienna consensus represented a substantial commitment by Member States to pay greater attention to human rights and gave birth to historical advances on right of women, children, indigenous peoples, minorities, persons with disabilities, and the right to development, among others. The Conference also led to historic advances in the fight against impunity, which culminated in the adoption of the Rome Statute and the subsequent establishment of the International Criminal Court.

To commemorate the 30th anniversary of the World Conference on Human Rights and as part of a year-long [initiative](#) by the OHCHR to celebrate the 75th anniversary of the adoption of the Universal Declaration of Human Rights, the Government of Austria and OHCHR held a high-level event on 5-6 June in Vienna to reflect on progress and revitalize a worldwide consensus on human rights, essential to confront today's challenges. Thirty years after the Vienna Declaration, the world still faces multiple crises and the commitment to human rights is more important than ever. As stated by the High Commissioner for Human Rights, Mr. Volker Türk, during his keynote address at this event, '[t]he Vienna Conference set out a noble and ambitious promise for humanity. Yet promises, as we know, can be broken. There have been massive gains in human rights since the Vienna Declaration – but today, all around the world, we are seeing dramatic rollbacks. People from Sudan, to Ukraine to Myanmar to Afghanistan endure the unbearable daily consequences of conflict and oppression. The geopolitical backdrop to many of these crises – one of the most complex we have seen in decades – is a trend towards a deepened division within and across countries, resulting in hostile standoffs between opposing blocs. It is a disturbing trend which threatens national cohesion, but also multilateral solutions, the one sure way out of chaos.'"

Mesdames et Messieurs les membres du Comité,

À cet égard, permettez-moi de saluer la [déclaration conjointe](#) du Comité contre la torture, du Sous-comité pour la prévention de la torture, de la Rapporteuse spéciale sur la torture et du Fonds de contributions volontaires pour les victimes de la torture, publiée le 26 juin 2023 à l'occasion de la Journée internationale pour le soutien aux victimes de la torture, appelant les États à respecter et à défendre l'interdiction absolue de la torture, en particulier dans les conflits armés; et rappelant à toutes les parties aux hostilités que les protections conférées par le droit international des droits de l'homme continuent d'être applicables dans les situations de conflits armés. En effet, l'interdiction de la torture est une norme dite de *jus cogens* du droit international, un principe fondamental qui s'applique en tout temps, en toutes circonstances et à toutes les parties aux conflits.

Votre déclaration conjointe est particulièrement opportune, car aujourd'hui plus de 100 conflits armés sont en cours dans le monde¹, ce qui pose de sérieux obstacles à la protection et à la réalisation des droits de l'homme, augmente le risque de torture pour les combattants comme pour les civils et empêche les survivants de la torture d'obtenir réparation et de bénéficier d'une réadaptation. Afin d'empêcher que des actes de torture ne soient perpétrés, les États doivent prendre des mesures décisives avant la commission de tels actes.

¹ See Report of the Secretary-General on Protection of civilians in armed conflict ([S/2023/345](#)), May 2023.

Il s'agit notamment de criminaliser la torture en tant qu'infraction spécifique au niveau national, de sensibiliser et de former les forces de l'ordre et le personnel militaire, notamment ceux qui sont chargés de tâches liées à la détention, à l'interdiction de la torture et à leur responsabilité de désobéir aux ordres de pratiquer la torture ou d'autres mauvais traitements. Il s'agit aussi d'enquêter sur les actes de torture et d'en poursuivre les auteurs, y compris lorsqu'ils sont le fait d'acteurs non étatiques.

Comme l'ont déclaré à juste titre ce Comité et les autres mécanismes des Nations Unies compétents en matière de prévention et de lutte contre la torture, "[l]a prévention, les enquêtes et les poursuites en matière de torture, ainsi que l'octroi de réparations adéquates, d'assistance et de réadaptation aux victimes, doivent être des efforts constants ; aucune situation, y compris les conflits armés, ne saurait constituer un obstacle à cet égard".

Distinguished Members of the Committee,

I would like to draw your attention to another matter of interest to your Committee. On 8 June 2023, two State Parties to the Convention against Torture filed a joint application instituting proceedings against a third State Party before the International Court of Justice concerning alleged violations of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This application is illustrative of how other international bodies can also be seized with issues related to the implementation of the Convention against Torture, in this case the ICJ, by virtue of article 30 of the Convention. OHCHR will continue to follow the proceedings before the Court closely and with interest.

Distinguished Members of the Committee,

The OHCHR continues to actively support efforts to strengthen the treaty body system. It prepared an comprehensive [Working Paper](#) with options for the implementation of the conclusions adopted by the treaty body Chairpersons last year ([A/77/228](#), paras. 55-56). The document is intended to be a guide for the creation of an efficient, fit-for-purpose, cost-effective, coherent, and sustainable treaty body system.

We are confident that the [conclusions](#) adopted last month at the 35th annual meeting of Chairpersons, held from 19 May to 2 June 2023 in New York, have the potential to significantly improve your work and that of the treaty body system as a whole. Ably guided by Mr. Claude Heller, in his new capacity as Chair of the Chairpersons meeting, the Chairs agreed, among other things, to establish a coordination mechanism for the harmonization of working methods and substantive coordination on common intersectional issues. The Chairs also considered the options proposed for the rolling out of the 8-year predictable review calendar, and concluded that they are in line with the conclusions drawn at their 34th annual meeting in 2022. The Chairs further confirmed that any of the options for the introduction of an 8-year predictable schedule of reviews and the further digitization of their work can and will be implemented by all human rights treaty bodies, if, and only if, the necessary human, technical and financial resources can be provided by Member States. I am sure that the Chairperson of the Committee, Mr. Claude Heller, will fully debrief you on his participation to this meeting and give you his assessment.

While decisions on these issues remain in the hands of Member States, the Secretary-General, the High Commissioner for Human Rights and the Assistant Secretary-General for Human Rights have expressed their firm commitment to continue to support the treaty body strengthening process, including as regards the budgetary implications of the reform of the UN human rights treaty bodies. I understand that you will have the opportunity to exchange with the High Commissioner during the current session.

Distingués membres du Comité,

En conclusion et sans plus tarder, je vous souhaite une session productive.

Merci.