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**10th anniversary of the Optional Protocol to the Convention Against Torture**



**Opening Statement by**

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**United Nations High Commissioner for Human Rights**

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**Palais des Nations**

Director-General,

Madam Vice-President of the ICRC,

Chair and members of the Subcommittee,

Excellencies, Colleagues and Friends,

Torture is a crime so repugnant that it can never be justified, and its prohibition under the Convention Against Torture is one of the few unequivocal obligations that the international community has embraced. But ten years ago, the Optional Protocol to that Convention took a decisive step further towards prevention of torture.

Under OPCAT, preventive visits may be made to any place of deprivation of liberty, at any time. Access must be given to all detainees, under conditions of complete confidentiality. This system of monitoring involves State authorities, national preventive mechanisms and the Subcommittee in a three-way cooperative dialogue to ensure compliance with the law.

Ten years ago, OPCAT's preventive visiting system represented a unique innovation within the UN, and was hailed as a harbinger of a new generation of human rights mandates. It represented an extraordinary and courageous commitment by States, who agreed to open the doors of their police stations, prisons and psychiatric hospitals to the supervision by an independent international mechanism – the Subcommittee on Prevention of Torture – and national preventive mechanisms.

It has taken ten years to establish and secure a full-scale visiting programme, set up and ground national preventive mechanisms and fully integrate the OPCAT's preventive approach in the international political landscape. The Subcommittee and its Chair have taken strong stands regarding the imperative that the Subcommittee set the timing and location of its visits. They have met numerous challenges, as the Chair described very frankly last month to the General Assembly. Fortunately, the persistence and acuity of members of the Subcommittee, and their extensive experience, have resulted in strong reports and consequential action.

Distinguished Chair,

I commend the Subcommittee's record of maintaining cooperative relationships with States. After ten years, and 51 field visits, only two missions have had to be suspended because of extensive difficulties – and both were later successfully resumed. Your efforts to guide national preventive mechanisms have also been notable. In the coming decade, we trust that States will respond to your preventive recommendations with strengthened follow-up. There is also a need for strong national commitments to establish efficient and truly independent national preventive mechanisms, with adequate funding and the ability to monitor compliance with recommendations.

The Subcommittee itself must also receive adequate resources. As you told the GA, the international community should honour its pledge to torture victims by ensuring financial support for preventive visiting – or risk jeopardising your unique and deeply valuable mandate, which has already demonstrated its usefulness to victims across the world.

I am also particularly concerned that the OPCAP Special Fund which supports implementation of preventive recommendations at the local level is facing possible closure due to a lack of donations – despite the fact that this Fund was established by an international treaty. The Fund's eventual collapse would send a very negative signal regarding States' commitment to preventing torture.

Distinguished Chair,

The continued existence of torture is a dispiriting reality in our troubled century. Increasing concerns about protecting national security and borders has led to violations. Non-State actors also practise torture, in multiple conflict zones. People seeking to profit from migration flows are frequently able to exercise merciless control over vulnerable migrants and refugees.

I am also profoundly disturbed by reports that people who raise concerns about torture and ill-treatment increasingly fear they will suffer reprisals. Their work is essential. States have committed themselves to ending torture, and it is essential to our common pursuit of this goal that people who speak out are protected.

In ten years’ time, will fewer women, men – and even children – be victimized by torture? This depends on us all - my Office, which supports your mandate, and States. The world's people deserve universal ratification of the OPCAT, proper support for its work and full implementation of its recommendations.