



Asian Federation Against Involuntary Disappearances (AFAD)

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AFAD Statement on the International Day in Support of Victims of Torture

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Manila, 26 June 2016 – June 26 is recognized internationally as the United Nations International Day in Support of Victims of Torture. On this day, in 1987, the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) entered into force. On this occasion, the Asian Federation Against Involuntary Disappearances (AFAD) expresses its solidarity with and support for the many victims of torture and their families all over the world.

The prohibition of torture is absolute: no justification for it can ever be accepted, under any circumstances. Moreover, this prohibition is part of customary international law, which means that it is binding regardless of whether a State has ratified the CAT or not. This is because of the nature of an act of torture, which aims at annihilating the victim's personality and at denying the inherent dignity of the human being. In this, torture and enforced disappearances are similar crimes.

Researches on cases of enforced disappearances have shown that victims of this crime are normally also victims of torture. Indeed, victims of these crimes have reported similar psychological, mental and physical injuries; if not properly and timely addressed, the consequences of these crimes will last for life, making it extremely difficult for the victims to go back to living a normal life. Families of victims also experience very harsh mental, psychological and also economic consequences.

All the countries where AFAD has member-organizations have ratified the Convention Against Torture (CAT), except for India, who signed in 1997, but never ratified; however, even in the countries where the CAT has been ratified, the level of compliance is very low.

In Nepal, police officers have reportedly committed acts of torture on detainees in order to elicit confessions, and used the threat and practice of torture to intimidate victims into compliance and silence. Moreover, detained minors seem to be more frequently subject to torture than adults. Although Nepal is a State party to the CAT, torture has not been criminalized in domestic law.

Similar to Nepal is the situation in Sri Lanka, where torture and other ill-treatment of detainees continue to be reported and impunity persists for earlier cases.

Torture and other ill-treatment in police custody, such as shooting in the limbs of detainees, is widespread in Bangladesh. However, incidents are not reported and even when they are, complaints are rarely investigated. Moreover, senior police authorities complained publicly about the legal safeguards against torture, calling on the government to decriminalize torture in a wide variety of circumstances.

In Indonesia, human rights abuses, including torture continue to be reported, while impunity is widespread.

Also in Timor-Leste, cases of torture have been reported as part of joint security operations in the Baucau district.

In Thailand, where the human rights situation has been deteriorating over the past years, several cases of deaths in custody as a result of torture have been reported. However, impunity for perpetrators of these and other instances of torture prevails.

As for Pakistan, enforced disappearances continue with impunity, particularly in Balochistan, KPK and Sindh. When bodies were later found, they bear apparent bullet wounds and torture marks.

In the Philippines, torture and other ill-treatment by police forces continue to take place, and despite the criminalization of acts of torture in 2009, with the Anti-Torture Act, none has been convicted so far. Moreover, secret detention facilities have been discovered around the country, where a “roulette wheel” was used in order to decide which torture method to use on detainees.

Torture has been the most widespread form of human rights violation in Jammu and Kashmir, where it has been used to deter Kashmiris from demanding their right to self determination. Already a decade ago, the UN Special Rapporteur on Torture denounced the systematic use of torture by Indian security forces in Jammu and Kashmir. However, cases are not monitored and victims are left helpless.

As it is evident, torture is still widespread and cases are rarely investigated, so that a culture of impunity prevails everywhere. As a result, victims are left very little legal or social remedies available, which normally, however, only provide for monetary compensation, while the physical and psychosocial consequences of the torture experienced are almost never addressed.

Although almost all countries have signed and ratified the CAT, the commitment to end torture will remain incomplete as long as the Convention on Enforced Disappearance is not ratified, thus reinforcing existing safeguards and providing for further fundamental rights for victims.

On this day, AFAD joins the call of the international community in asking for a world free from torture and degrading or inhumane treatments; and free from enforced disappearance. Moreover, AFAD stands in solidarity with all victims and their families, reiterating their need for justice, for having those responsible brought to court and the importance of receiving reparations and psychosocial support.

**END TORTURE,
END ENFORCED DISAPPEARANCES
JUSTICE FOR ALL!**

Signed by,



KHURRAM PARVEZ
Chairperson



MARY AILEEN D. BACALSO
Secretary-General