

AFRICAN UNION		UNION AFRICAINE
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PRESS RELEASE

International Day in Support of Victims of Torture

Let's think of the victims - criminalise torture now

Banjul, The Gambia, 26 June 2010: On the occasion of the International Day in Support of Victims of Torture, the African Commission on Human and Peoples' Rights (ACHPR) and its Committee for the Prevention of Torture in Africa (CPTA) jointly call upon States Parties to the African Charter on Human and Peoples' Rights (the African Charter) to take concrete measures to respect their commitments with regard to the right of victims to an effective remedy for the human rights violations suffered as a result of torture and other ill-treatment, as well as the right to full redress, including compensation and rehabilitation.

African States are required under the United Nations Convention against Torture (UNCAT), the African Charter and the Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (Robben Island Guidelines) of the ACHPR, to ensure that all acts of torture and other forms of degrading treatment and punishment are made offences under their criminal law, and the definition of torture, at the very minimum, should cover the constitutive elements espoused in Article 1.1 of the UNCAT.

Criminalisation of torture brings the hitherto unobtrusive victim of torture to the forefront. Fighting torture involves walking with the victim, encouraging the victim to speak and finding means for their speech to be heard, often in an environment where redress is remote. The existence of a legal framework which provides for the prosecution of perpetrators and adequate sentencing is a panacea for the reparation of victims of torture.

Sadly, less than a third of the States Parties to the African Charter has criminalised torture and redress for victims of torture remains illusive.

On this day, dedicated to the victims of torture and other forms of ill-treatment, let us think of the plight of victims and criminalise torture in Africa.