



GENEVA CENTRE FOR HUMAN RIGHTS  
ADVANCEMENT AND GLOBAL DIALOGUE

## UNITED NATIONS HUMAN RIGHTS COUNCIL

### Interactive Dialogue with the Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment

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## PRESENTATION OF THE THEMATIC REPORT

### **Ms. Alice J. EDWARDS, Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment**

The SR reminds the Council of the indignity and torture of taking hostages. Some, including a few States and NGOs, even fellow experts, have appealed to me not to mention specific countries or situations, have criticised the timing of her report, or have attempted to obstruct her from speaking out about hostages. Some have even accused the SR of bias for raising the right of individuals taken against their will who became bargaining chips in political or financial transactions that they have little or nothing to do with.

Yet right now, people of many nationalities, most of them civilians, are being held against their will without access to international observers or consular assistance. This report should be welcomed by anyone who believes in human rights for all, who supports an international legal



system that does not discriminate between victims, and who seeks to end torture. Hostage-taking is perpetrated by States, it is also perpetrated by non-state actors.

She has heard horrifying stories from victims about how they were seized without warning before being held in prisons and other hell holes in jungles, basements and tunnels. How they were kept captive without proper judicial charges or procedures. What is particularly deplorable is the ways in which hostages are deliberately mistreated as part of perpetrator strategies to secure better concessions. That type of manipulation is unconscionable.

As this Council's appointed an independent expert on the prohibition on torture, the SR reminds States of their international obligations, namely that torture is always prohibited. **If States are unable to stand up for all hostages, they have no right to speak about human rights** in this Council. States must do more to root out this evil.

History is littered with examples of hostage-taking. Recently, it has changed dramatically into a cynical pseudo-diplomatic tool used by a small number of states who detain foreign nationals on fabricated or highly inflated charges to extract confessions from their States. These are not prosecutions on legitimate criminal charges. This is the targeting of foreign or dual nationals to blackmail their country of nationality.

Her report documents cases in China, Iran, Myanmar, North Korea, Russia, the United Arab Emirates and Venezuela. There are no official statistics for hostage-taking incidents. Hostage International informs that they have helped more than 500 people affected by hostage-taking and arbitrary detention over the past two decades. At the end of 2023, Hostage Aid Worldwide reported that there were people of 53 different nationalities being held hostage or arbitrarily detained globally. In the research for this report, it was clear that the scale is much larger and the geographical spread much wider than these statistics indicate. Hostage-taking is also a weapon of armed groups and criminals.

You may immediately think of the 251 men, women and children who were **violently abducted on 7 October 2023 by Hamas** and other Palestinian armed groups. Speaking up for these hostages from Israel and more than 20 other countries does not undermine or silence other victims of the ensuing war in Gaza. It is beyond doubt that this conflict has been utterly devastating for Palestinian civilians. The SR's mandate is pursuing **multiple allegations of torture and ill-treatment of Palestinians in Israeli detention**. At the same time, we must pursue justice for all victims who have been killed, injured, displaced, tortured and traumatised. The fate of many other hostages remains unknown. According to 2024 data, 82 of the girls abducted from schools in northern Nigeria by Boko Haram are still missing and at least 30 humanitarian aid workers are being held by the Houthis in Yemen.

The SR's position is unequivocal. **Hostage-taking is almost always a form of torture**. The physical and psychological torment inflicted on hostages is severe and lasting. The SR interviewed more than 20 former hostages or family members for her report. Many spoke of rancid prison conditions and desperate isolation. Several spoke of beatings, starvation, humiliation, mock executions and sexual torture. Many were held in prolonged solitary confinement, in itself a form of torture after 15 consecutive days. They were cut off and left in darkness, starved of social contact and deprived of medical care. They suffered the constant fear of death and the



unimaginable anguish of never being found or recovered. Several are still deeply traumatised by these experiences.

Families are also victims, living in limbo, waiting for proof of life and release, trying to avoid financial ruin, having to make impossible decisions, with some even forced into silence by their governments. Children of hostages cannot comprehend what has happened. They experience sleeplessness, detachment, anxiety and withdrawal. The hostages' ordeal is far from over if they are lucky enough to be released. Many suffer post-traumatic stress disease (PTSD), chronic anxiety and serious health issues that often require decades of rehabilitation. Some long-term detainees find that their jobs have gone, that their skills are outdated, they are in debt and that their previous lives have simply disappeared.

The SR's report contains a comprehensive set of recommendations. 176 UN member states are to the 1979 International Convention Against the Taking of Hostages (in short, 'the Hostages Convention'). That is nearly as many as you who are party to the UN Convention Against Torture (UNCAT). Yet the Hostages Convention is rarely mentioned. Despite clear international prohibitions, hostage-taking remains a low-risk, high-reward crime. To change this, perpetrators must be held accountable and punished harshly. The SR requests the International Criminal Court to step up investigations into hostage-taking. For those States working on the draft International Treaty on Crimes Against Humanity, they must ensure that it is amended to include explicit reference to hostage-taking.

Meanwhile, States should act to indict and prosecute hostage-takers for torture, as well as those who aid and abet them, including under universal jurisdiction. Families need better representation. It is shocking that there is no entity or person responsible within the UN to advocate for hostages or to represent their interests in negotiations.

She asks the Secretary General, with the support of UN Member States, to appoint a UNSG Special Representative on hostage-taking. She also asks governments to appoint senior hostage liaison officers to keep families informed and involved. Targeted sanctions, such as Magnitsky sanctions, should be deployed more rigorously against perpetrators. Confiscated assets and funds could be used to **establish a UN Hostage Support Fund**. There must be more early warning mechanisms, prevention and monitoring, and more multilateral action. She encourages States to join and support Canada's initiative on arbitrary detention in State-to-State relations.

Victims must see justice and be compensated and rehabilitated with long-term psychological, medical and financial support. They should be legally recognised as victims of torture. **Hostage-taking is a cruel game in which innocents are the pawns**. We cannot allow it to become an accepted tool of diplomacy or warfare. Disagreements, grievances and wars must be settled in accordance with the UN Charter and human rights and through dialogue. People's lives should never be used for political ends.

Finally, all hostages, whomever they are, wherever they are and by whomever they are being held, must be released unconditionally and immediately. Every State must play its part to make that happen.



## PRESENTATION OF COUNTRY VISIT REPORTS

Turning to country visits, the SR would first like to inform the Council about her visit to **Senegal** in February this year, during which she was pleased to hear about the Government's plans to improve prison facilities and conditions, most notably to address very serious levels of overcrowding. In short, she has encouraged them to take even bolder action. Looking forward to undertaking her next country visits to **Montenegro and Morocco**, the SR presented the report on her country visit to **Chile** from 16 to 27 October 2023. The SR expresses sincere gratitude to the Government for the invitation and the exemplary cooperation. She is also grateful to many other stakeholders whom she met during the visit.

On her visit report, first, she acknowledges that since the end of the military dictatorship over 30 years ago, Chile has made steady progress in the fields of transitional justice, institution building and human rights. Their commitment to a democratic and torture-free future is indeed impressive. Efforts have been made to hold accountable those responsible for human rights violations during the Pinochet era. However, many victims remain missing, numerous cases are still pending and a number of alleged perpetrators are yet to be brought to justice. She calls on the Government to expedite the adjudication of the remaining historic cases.

Second, as Chile has embarked on this positive path, there have been setbacks. In particular, the social unrest in 2019 and the State's heavy-handed response to public demonstrations caused massive human rights violations. She heard many accounts from individuals who were injured, including permanent blindness, in particular because of the use of multiple projectile ammunitions deployed by law enforcement officers. She welcomes that the Chilean police force is no longer using the 12 projectile rubber-shot weapons used during the 2019 unrest. Crowd control weapons now in stock contain three projectiles. However, she emphasises that ammunition and launchers containing multiple projectiles should be decommissioned as they are inaccurate and pose a significant risk to bystanders. Only single-shot non-lethal weapons are acceptable. She invites the Government to consider joining the Alliance for Torture-Free Trade.

Third, the SR assessed the conditions and standards of treatment of persons deprived of liberty in a range of locations. Overcrowding and lack of rehabilitation opportunities are among the main challenges. In the facilities visited, whose infrastructure remains mostly outdated and in need of renovation or replacement, in some facilities the space-per-person ratio was far below international standards and amounted to inhuman treatment. The SR looks forward to continuing the constructive dialogue with the Government of Chile to support the implementation of her full set of recommendations.

## CONCLUDING REMARKS

Welcoming the positive reception of the report and the commitment of many States to do more to root out this practise and crime, the SR welcomes the good practise updates by Chile, Kuwait, Morocco, South Africa, Nigeria, Ghana, Colombia, and Iraq.

On how **bolster deterrence and prevention of hostage-taking**, it is crucial to revive the Hostages Convention, which can be done by enacting laws to criminalise, investigate, prosecute, or extradite and punish hostage-takers; take measures to ease the situation of hostages, such as



providing humanitarian access or consular access; abide by international law; ensure families and lawyers are fully informed of their circumstances; and also have access. The Hostages Convention also requires States to partake in the securing of the release of hostages, using diplomacy, pressure on hostage takers, reminding of international obligations, and indicting hostage-takers, as well as engaging in multilateral action. The Hostages Convention also calls on cooperation in the prevention of hostage-taking. As mentioned, Canada's initiative is a step in the right direction. In armed conflict situations, IHL and international human rights law must be scrupulously applied. We should stop making excuses for hostage taking, or politicising human rights violations.

It is important to distinguish between **hostage-taking and arbitrary detention**. A person's detention does not need to be arbitrary for there to be a hostage-taking event. For example, someone could have been arrested on security or terrorism charges entirely legitimately, but over time there is an effort by those detainees to use the holding of that person for some form of leverage. So not every arbitrary detention is hostage-taking, and of course, not every detention is arbitrary, whether conducted in wartime or peacetime. So in reinforcing this important distinction, we should revert to the definition of hostage-taking in Article 1 of the Hostages Convention, which is also the definition that is mostly being used under IHL. The distinction is between arbitrary detention and hostage-taking is hostage-taking has an intentional nature of taking a hostage to subject them to severe suffering for the purposes of leverage. The crime of hostage taking is defined as 'anyone who seizes or detains and threatens to kill, injure or to continue to detain that person, i.e. the hostage, in order to compel a third party to do or abstain from doing any act as an explicit or implicit condition of the release of the hostage.'

There may be cases that are not mentioned in the report, however, but the aim is not to change the international definition of hostage-taking, but to understand it better. It is also not a report on arbitrary detention - as this may be something that the SR will decide to do subsequently - nor is it a report on the Gaza War. It is about hostages worldwide who the SR considers also to be victims of torture. A call for submissions was made. Next time, the SR would encourage those States who consider that information is missing or could have been included to submit something. This is a two-way dialogue. The SR would also like to put on the public record that she rejects any allegations of a lack of impartiality and asks Member States from refraining from politicising a report about victims and survivors of torture. No one has forgotten about the Palestinian victims, least of all the SR.

The SR has issued seven statements that refer to **alleged torture or ill-treatment against Palestinians** by the Israeli authorities over the 16-month period of the war and she has been in regular contact with the authorities of Israel to get updates to insist that they be treated humanely. By way of comparison, she has issued only six statements on Russia's invasion of Ukraine and the torture related to that as that war just ended its fourth year. She has also issued two statements on Yemen and the mandate itself, only three statements on Yemen since 2014 and two statements respectively on Sudan and the Democratic Republic of the Congo. We can all do better to remember all the victims of torture around the world. She stresses it is not the frequency with which one speaks, but the impact of one's words.





After welcoming the positive updates from Togo, Cameroon, Cambodia, Georgia, Mauritania, the Gambia, Botswana, Lesotho, Benin, Kenya, and Burkina Faso, the SR explains that her UNGA report will be addressing state developments and good practises across a range of areas. She encourages the Council to submit to her report and extends its gratitude to the many NGOs that took the floor, and to those who unfortunately were not able to do so.

The SR welcomes all the statements condemning torture and other cruel, inhuman and degrading treatment of punishment, and the constructive engagement on hostage-taking as a specific form that involves torture. **Hostage-taking is not an appropriate tactic to settle grievances or carry out international relations.** It never was, and it never should be. The SR is confident that this report is on the right side of history, hoping that it will reinvigorate and renew interest and debate on this subject which has been regrettably long neglected. Hopefully, it will help to serve victims so they know they are not forgotten, and also States and their communities who are grappling also with this scourge.

Furthermore, she encourages States that are facing challenges of national abductions to appoint a senior-level liaison officer to liaise with families and keep them updated and to take part in any negotiations. She also calls on the Secretary-General, with States's assistance, to establish a **UNSG's Special Representative on hostage-taking**. Without that, we will be here in another few years having these same conversations. This practise, like torture itself, must end.

## INTERACTIVE DIALOGUE

### Views expressed by the Country Concerned

Expressing appreciation for the SR's visit and her report, **Chile** expresses appreciation for the report whereby the SR highlighted the progress made in combating torture and other cruel and inhuman degrading treatment, and also she has identified a number of pending challenges.

The SR recognises the efforts made in Chile to prevent and combat torture after the end of the dictatorship. Mindful of its shortcomings, Chile welcomes the Rapporteur's qualification as 'an example of transitional justice and policies in trying to build a state where the rule of law is at the basis of human rights and fundamental freedoms'. Similarly, Chile joins in the recognition given by the Rapporteur to the historic role played by CSOs, groups of victims and survivors and their family members in the search for truth, justice and reparation for violations of human rights, despite being aware that the process of truth, accountability has still not come to a conclusion. The plan launched in 2023 is an expression of this resolve. Chile is grateful to the SR for the recommendations included in the report on these issues.

However, the violations that have been left following the dictatorship is not alone. The events occurred in 2019 brought the country to address a number of reforms in order to deal with the use of police force as well as to adopt measures for reparation and guarantees of non-repetition. Some of these have been referred to in the report. To this end, Chile is also mindful of the existence of a number of pending challenges that it hopes to continue to tackle in a head-on way in the future.

Chile has been amending its normative framework to align itself with international standards in this area. With the success of legal reforms and the establishment of a number of robust



institutions to tackle torture prevention, Chile is striving to ensure that persons deprived of liberty remain a core concern. It is pleased to see that, as indicated in the report, there is full access to all places of deprivation of liberty that the SR wanted to visit, which is necessary to ensure that visits are conducted adequately and that the findings are representative of the national reality.

As it is doubtless that in the context of deprivation of liberty the risk of torture and inhumane treatment is greater, Chile place special attention to the recommendations given by the SR in this area in order to make headway in creating safeguards to reduce these risks and ensure appropriate accountability mechanisms in line with the requirements. Overcrowding in prisons is another challenge.

On the basis of these legal reforms and the increase in the number of crimes, Chile has seen sustained increase in its prison population over the past number of years, which requires cautious analysis. Therefore, Chile is aware of the existing tensions between maintaining safety and security and also ensuring guarantees of deprivation of liberty in line with the dignity of every individual. It is possible to make progress in providing greater safety to the population whilst also adhering to human rights, including of those who are convicted because of hostage-taking.

Chile is also mindful of the SR's recommendations on gender in prisons and the gaps that still exist in terms of gynaecological care and access to female hygiene. In a country with a female-orientated foreign policy and mindful of the rights of LGBTQI+ persons, Chile will continue to strive to create dignified conditions in prisons. To conclude, Chile is grateful for the SR's constructive attitude, both during the visit and after the visit.

### Views Expressed by State Delegations

Taking the floor through **Ukraine**, the Lublin Triangle countries (Lithuania, Poland and Ukraine) expresses its deep appreciation to the SR for her unwavering efforts in the fight against torture. Marking the 40th anniversary of the mandate, a strong global response to torture has never been more urgent. They commend the report which underscores that hostage-taking is an international unlawful act, often accompanied by psychological and physical torture and other ill-treatment. Four years of Russia's full-scale invasion of Ukraine have been marked by the widespread and systematic use of torture against civilians and POWs. Russia's coordinated policy amounts to crime against humanity. Russia is reportedly holding over 15,000 Ukrainian civilian hostages, using them as leverage to exert pressure on Ukraine and to intimidate populations in temporarily occupied territories. For the most part, civilian hostages are held incommunicado, deprived of the opportunity to inform their loved ones about their whereabouts, as well as proper legal assistance. They call on the international community to take a firm stand against these egregious violations. Russia must be compelled to end the systematic use of torture, release all civilian detainees and ensure their safe return to Ukraine. Those responsible must be brought to justice.

On behalf of the Nordic Baltic countries, **Denmark** thanks the SR for her tireless work she continues to invest in the global fight against torture and ill-treatment. Last year, we celebrated the 40th anniversary of the UNCAT. This year, we mark the 40th anniversary of the SR's mandate. One could have hoped for that this mandate would be redundant after 40 years. But unfortunately, torture and ill-treatment is still taking place across all regions of the world and worrying trends continue. So the SR's work continues and remains as important as ever. The



Nordic-Baltic countries commend the SRs for focussing on the concerning practise of hostage-taking in your latest report, noting the rise in the number of incidents of state hostage-taking. These incidents undoubtedly lead both to severe physical and psychological damages for the hostages themselves and also for their relatives. Tailored support during the process of recovery and rehabilitation is needed, they note the SR's recommendation to share experiences among States on the services to be provided.

**Pakistan** takes the floor on behalf of the Organisation of Islamic Cooperation (OIC Group) which has noted the SR's attention to the OPT and would have appreciated a more holistic approach. The OIC Group is disappointed that the report has sidestepped the plight of Palestinian hostages, many of whom have been incarcerated under conditions of torture for years, are positioned on the events of 7 October 2023, and the hostages taken that day is clear, as reflected in HRC Resolution 55-28. For close to eight decades, the Palestinian People and their inalienable rights have been held hostage by an illegal occupation regime. The use of the word detainees cannot and must not disguise the illegal occupation's long-standing practise of mass arbitrary detention of Palestinians over the course of 75 years. These Palestinian hostages are intended to coerce the people under occupation into submission. Their treatment is characterised by widespread and systematic abuse. The OIC Group is dismayed also by the selective reading of the findings of the COI, which details widespread crimes of torture against Palestinians committed with the intent to inflict pain and suffering, amounting to torture as a war crime and a crime against humanity. The very human dignity of the Palestinian people under occupation has been repeatedly trampled. They have faced dehumanisation, oppression, torture, and genocide. It reiterates that the independence of the special procedures is a sacred trust bestowed by this Council, and call for maintaining the highest standards of impartiality and good faith.

Taking note of the report, **Kuwait** stresses that the Palestinian people are suffering from torture and other cruel and human degrading treatment. The physical and psychological torture of fear from the occupying power. This all needs to be reviewed through the report of the SR. We need to reveal the practises that have been used by the occupying power because nobody is beyond the law. On a national level, Kuwait has taken steps to strengthen our normative framework to combat torture. Kuwait published Decree 93 of 2024, amending the criminal law to ensure that it respects our international obligations. Kuwait submitted our fourth report on the UNCAT because we deeply believe in the principles enshrined in this Convention. To conclude, Kuwait underscores the importance of being impartial in preparing UN reports with a view to strengthening and promoting human rights.

As we mark 40 years of torture, unfortunately, the use of torture has not been eradicated. Once again, **Czechia** expresses its concern about systematic and widespread use of torture by Russia on the occupied Ukrainian territories and in Russia. This was confirmed by the third report of the Commission of Enquiry on Ukraine submitted in October 2024 to the UNGA. Many political prisoners from occupied Ukrainian territories face torture. Some of them have severe health problems and they are denied proper medical care, such as Ms. Melina Benilović and Mr. Amed Zloimanov from Crimea. Czechia agrees that hostage-taking involves a form of torture. It supports the SR's call on States to criminalise all forms of hostage-taking. Czechia reflected on the SR's call on the UNCAT to consider adopting a General Comment on the topic. Czechia recognises the important role of the ICRC in hostage-taking situations, and we would like to know how do you





consider your cooperation with the ICRC in general and in occupied Ukrainian territories in particular.

**Costa Rica** is grateful to the Special Rapporteur for the reports, and in particular for noting that hostage-taking is not just a serious crime but a form of torture. It agrees that the psychological and physical suffering due to prolonged capture and the inhuman conditions of detention and court suppression are tantamount to torture under international law. Costa Rica highlights that hostage-taking is also conducted by states that continue to detain citizens under the jurisdiction or control under false or exaggerated accusations in order to promote foreign policy or other goals. Through manipulation of procedures and false narratives, these States prolong and complicate their release at the same time that they deny detainees the status of hostage. This is unjustifiable. Costa Rica agrees with the SR that it is not necessary for persons to be detained in an illegal or arbitrary way for them to be considered hostages. By contrast, persons whose detention could be legal, as is the case for persons who represent a threat to security, could then subsequently be used as hostages in order to force a third party to take action. Costa Rica appeals for rehabilitation and social reinsertion of those who have been released with a human rights approach.

**Malawi** welcomes the SR's comprehensive report in which she addresses the issue of hostage-taking from a perspective of absolute prohibition of torture and other cruel, inhumane and degrading treatment or punishments. Malawi notes with great concern that hostage-taking, if it is treated by both state and non-state actors, continues and with it comes a wide range of human rights violations against children, pregnant women, the elderly, and persons with medical conditions. Such violations have resulted into severe and long-lasting physical and mental torture. Malawi maintains an absolute prohibition of torture and is presently implementing recommendations from the UN Committee against Torture. Following the review of its report, Malawi will continue to work with the Committee and the SR to address gaps in its anti-torture architecture. It concurs with the SR in calling on Member States to condemn all forms of hostage-taking and to fully implement the provisions of the Hostages Convention.

**Morocco** thanks the SR for presenting the report and we note the pertinence of the topic chosen. This issue is a form of torture, not just against the hostages themselves who are taken, but also their families. In compliance with the 2011 law and its international obligations, Morocco complies with a regime of preventing this kind of torture. It also has accountability before the law and measures for prevention. The law has greater penalties handed down where these violations are committed by people who are responsible for the charge, care of the victims or have charge over them, as well as a number of other provisions. In line with the law on torture, impartial investigations must be opened against all allegations of torture, including those committed by civil servants as part of their functions. Moroccan ministries have worked closely with prevention mechanisms as a part of the monitoring of prisons. The law of Morocco allows for legal assistance for victims, as well as reparations for all forms of damage, moral, physical and mental.

**Switzerland** has made the fight against torture one of the priorities of its foreign policies. It strongly condemns the use of torture and other inhumane or degrading treatment, regardless of the perpetrators and the circumstances. Acts such as hostage-taking and arbitrary detention can violate the absolute ban on torture and inhumane and humiliating treatment. Hostage-taking is



also a war crime under international humanitarian law. Switzerland is also concerned by the growing practise of hostage-taking and by cases of forced disappearances and arbitrary detentions across the world. These violations and abuses committed by State and non-state actors are major attacks on international humanitarian law and human rights. No detainee should be used for political goals and the families have the right to know the location and fate of their loved ones if they are detained. The ICRC and Switzerland work together to ensure that there is support for all persons deprived of their freedom. Switzerland urges all states to ensure accountability for all acts of torture. Perpetrators should be brought before the justice systems and the victims and their families have the right to justice, knowledge and fair reparations.

Taking note of the SR's report, [Iraq](#) deems that the report follows a politicised approach against the Palestinian People who have suffered for more than 16 months all possible forms of torture, including psychological torture, hunger and the use of excessive force. Iraq itself suffers at the hands of Da'esh terrorist groups. Iraqi citizens have been a foreign victim to attacks. Iraq notes also the publication of a law on Yazidi of 2021. To conclude, Iraq would like to ask what is the legal foundation for the recommendations in the report, notably the call to create national offices to provide support to families and respond to enquiries? Iraq believes that this should be studied within the different UN agencies who and all politicisation should be avoided.

Thanking the SR's for her report, [Spain](#) emphasizes that the prohibition of torture is absolute in all circumstances and unequivocally. We express our concern at the rising recourse to hostage taking as a form of torture, both in conflicts that are raging, particularly in Gaza and Ukraine, as well as for political reasons in other contexts. Spain reaffirms its commitment to the Hostages Convention as well as the UNCAT and its Optional Protocol, and will continue to support universalisation. It further thanks OHCHR for drafting the handbook on training for presentation and follow-up of reports on torture. Internally, Spain continues to work to raise awareness, train and maintain a comprehensive vision of guarantee for the rights of persons deprived of their liberty. Against the backdrop of the liquidity crisis within the UN, it is all the more important that Special Procedures, UN treaty bodies, OHCHR and voluntary funds have sufficient financial support. Assistance to victims must be a priority.

The [State of Palestine](#) is of the view that the report fails to provide a holistic and impartial account of torture. While the SR noted her visit to Palestine, she completely disregarded the suffering of the Palestinian people, selectively addressing human rights violations. For decades, the Palestinian people have endured a regime of occupation that uses mass arbitrary detention as a tool of coercion and control. The COI and other mandate holders have extensively documented that the illegal occupying power engaged in widespread and systematic practises amounting to torture, a war crime and crime against humanity. Since October 7, 2023, as part of its genocidal campaign, thousands of Palestinians from Gaza and the West Bank, including older persons, those with serious chronic illnesses, pregnant women, children and medical personnel have been arbitrarily detained and transferred to Israel in a blatant violation of international law. Their names and whereabouts remain undisclosed. They are denied access to lawyers and the ICRC has been completely barred from visiting them. The SR has rightfully recognised hostage taking as a crime under international law, yet she fails to acknowledge that Israel is engaged in precisely this practise against Palestinian hostages. Since October 7, at least 60 Palestinians have died in Israeli custody, many due to torture. The UN itself has repeatedly documented



Israel's use of starvation, sexual violence, rape and beating as against Palestinian hostages, yet the SR continues to downplay these findings. The dehumanisation and systematic torture of Palestinians cannot be ignored or dismissed. Justice delayed is justice denied.

**Zambia** thanks the SR for her report and supports her recommendations in relation to hostage-taking and obligations highlighted to provide redress, including means of rehabilitation for victims of torture. Zambia also welcomes the report of the Secretary-General on the UN Voluntary Fund for Victims of Torture. Indeed, hostage-taking causes physical and mental torture. For this reason, more discussions are needed around awareness-raising strategies on the rights to redress of victims of torture and enhancing visibility and support towards the UN Voluntary Fund for Victims of Torture. Further, the SR is encouraged to explore existing gaps in the international legal framework against hostage-taking, particularly around evolving forms of hostage taking to augment incorporating hostage taking as an explicit offence in the draft articles on prevention and punishment of crimes against humanity. In an alarming global climate of shrinking civic space and waning State obligations, including towards compulsory norms and rights and obligations owes to all, it is imperative that our collective resolve towards accountability for the crime of torture and reparations or support to the victims of this crime do not get unhinged.

**Indonesia** reaffirms its strong and principled stance against torture in all circumstances. As the state party to the UNCAD, we continue to promote its universal ratification and full implementation. We take note of the special rapporteur's report which highlights the severe impact of hostage taking as a form of torture. Indonesia supports the call to ensuring accountability for all perpetrators, whether state or non-state actors. However, the report lacks balance in its assessment. While it rightfully condemns hostage taking by non-state actors, it fails to adequately address systematic and arbitrary detention without due process, particularly by Israel in the occupied Palestinian territory. Thousands of Palestinian civilians, including children, journalists, and political figures remain detained indefinitely without formal charges, raising serious concerns under international humanitarian and human rights law. These Palestinian hostages are used as a means to pressure the occupied populations into submission, facing widespread and systematic abuse. Indonesia urges the SR to address this critical issue. Indonesia calls for a more comprehensive and impartial approach to addressing all forms of hostage taking and unlawful detention, ensuring that accountability applies universally without exception.

While considering the importance of the topic itself, **Iran** is totally dismayed by the working method used by the SR and the misuse of the mandate for signal of some unrelated case. Iran is also dissatisfied for her ignores the comments and communication to her on the accusation level in her report, especially what mentioned in part 24 and 29. The reference in the context of the event of five decades ago, without addressing its historical context, mainly a foreign reference and related there. It reflects lack of impartiality on the case related to Iran, isolating such event without discussing its neither professional nor objective. While rejecting the content of the part 29 and consider it as erroneous and politically motivated claim, Iran reiterates that according to our report preceding, any committing offence will be tried with full regard and due process. It is so shocking that the SR remains silent of Iranian detained by the USA or those facing extradition for allegedly circumventing unilateral sanctions. If the detention of a certain foreign national is labelled hostage-taking, the same standard should be applied to the others. To conclude, Iran



invites the SR to consider unilateral coercive measures, particularly by the United States, which have implicated suffering economic hardship and violation of the right of the life of suffering people as a clear sample of widespread contemporary correspondence.

**North Macedonia** thanks the SR for her insightful report on hostage-taking as a form of torture. The report presents alarming evidence of this practise being used as a tool of coercion, inflicting severe both physical and psychological suffering in clear violation of international law. Hostage-taking by both state and non-state actors must be firmly condemned. It violates fundamental human rights, causes lasting trauma, and demands urgent international action. Strengthening legal protections, ensuring accountability, and providing comprehensive support to victims and their families are essential steps towards justice. The international community must remain vigilant and take decisive action against impunity. North Macedonia remains fully committed to the absolute prohibition of torture and urge all states to enhance cooperation in addressing hostage-taking, particularly in conflict and crisis situations. In conclusion, North Macedonia reaffirms its strong support for the mandate of the SR and calls upon all States to implement her recommendations without delay.

**South Africa** welcomes the report by the SR on the prevention of torture following the visit to Chile in the year 2023. South Africa deplores the incidence and stage of torture in all geographic regions of the world. It also recognises that the prohibition of torture is a paramount norm of international law and needs to be respected and upheld at all times under all circumstances. Accordingly, as a state party to the UNCAT and its Optional Protocol, South Africa took a decision last December to formally designate the South African Human Rights Commission as South Africa's national preventive mechanism. This decision was made to ensure that South Africa fully complies with all SPT criteria for designation and notification of national prevention mechanisms. South Africa subscribes to the view that all human rights are universal, indivisible, interrelated, interdependent, and complementary to each other. For this reason, it reiterates the view that torture must be eliminated as a priority for humanity as it is an assault on human dignity. In conclusion, South Africa fully supports the efforts of the Human Rights Commission to expose any incidence of torture and commend countries and governments that have made similar efforts to comply with international law.

Taking note of the SR's report and as a member of the Hostages Convention, **Egypt** condemns all forms of kidnapping, arbitrary detention, and forced disappearances. The movement of people and the forced displacement of people are crimes under international law. It is vital that there is respect and compliance by Special Procedures of their mandates. While noting the approach adopted in this report, which is focused on human rights and IHL, Egypt nevertheless considers it is not fully balanced. The report does not mention the arrests and disappearances of Palestinians who were victims of inhumane and degrading treatment. The Special Procedures system plays an important role in encouraging countries to comply with their obligations. Special Procedures themselves should respect their code of conduct and the principles of neutrality and objectivity, which should allow better interaction with Member States.

The fight against torture and other inhumane and degrading torture continues in **Belgium** in compliance with our international obligations and current laws, including the initiative human rights 75, the federal department adopted in March 2024, a law preventing torture. The fifth UPF



on torture is also being compiled. Belgium thanks the SR for her report on hostage-taking as a form of torture which mentions the increased state hostage taking over the past decades. Belgium condemns this phenomenon and has also been confronted to this recently. Belgium shares the SR's analysis, according to which hostage-taking is a form of torture and inhumane, cruel and degrading treatment. The horror, mental and physical suffered by hostages is unacceptable and has long term consequences, including for hostages, loved ones and for society at large.

Commending the SR's work and expressing support for her mandate, **Albania** commended the SR for her work and for drawing the Council's attention to the need to deter and counter hostage-taking, which, as was stated in the report, constitutes a threat to international peace and security. No one should be subject to torture or cruel, inhuman or degrading treatment or punishment. Enhanced international cooperation is needed to prevent, address and respond to cases of torture, ill-treatment and hostage taking. Albania supports accountability measures for human rights violations, monitoring mechanisms to promptly and thoroughly investigate acts of torture, as well as the protection of civilians in conflict zones. Albania condemns all acts of hostage taking and calls on all actors, particularly in conflict situations, to fully protect and respect international law, international humanitarian law and the Geneva Convention under all circumstances. Albania endorses the Declaration Against Arbitrary Detention in State-to-State Relations to strengthen international cooperation and end the practise of arbitrary detention on sentences for the purpose of leverage. Albania recognises the importance to support victims and their families by offering them the adequate and necessary support needed to recover.

The **Democratic People's Republic of Korea (DPRK)** expresses serious concern and completely rejects the report and allegations made by the SR as she asserts unsubstantiated and unfounded data about the DPRK. She is blindly following the impure moves of hostile forces of the DPRK to undermine our dignified social system, which enjoys the people's absolute support and trust, and also to mislead the international perception, which cannot be condoned or tolerated. The report listed the developing countries one after another but made no mention of the United States and Western countries. This practise adds to the global acknowledgement that the UN human rights mechanisms are being turned into the political tools for certain privileged forces and is a serious violation of principles of universality, objectivity, non-selectivity, and non-politicisation. The SR is urged to fulfil her duty in a fair and objective manner in compliance with the code of conduct and the principles of respect for national sovereignty and non-interference in internal affairs of the State.

**Nigeria** shares the SR's deep concerns on the global rise in hostage-taking and the severe psychological and physical torture suffered by hostages. The enduring impact of these acts is a reality Nigeria knows too well. As the country continues to suffer the devastating consequences of terrorism and hostage-taking with non-state actors targeting sub-targets, the 2014 Chibok schoolgirls abduction remains a lingering wound, especially with some victims still incarcerated. The calamitous effect of hostage-taking extends far beyond individuals. It impacts families, communities, and the country at large. Despite these tragedies, Nigeria remains resolute in its commitment to ending hostage-taking and terrorism. Our legal framework, including the Terrorism Prevention and Prohibition Act of 2022, explicitly criminalises hostage-taking and provides a comprehensive structure for prevention, prosecution, and punishment. Nigeria also





reinforces its commitment to safeguarding the educational institutions by endorsing the Safe Schools Declaration, an initiative launched after the Chibok abductions, to enhance school security and prevent further attacks. Furthermore, through psychosocial support, medical care, and educational integration programmes, the government and humanitarian partners help survivors rebuild their lives.

Welcoming the SR's visit to Ramallah to meet with Palestinian victims of torture, the **Maldives** agrees with the SR that the act of arbitrary detention for leveraging is also a form of hostage-taking and causes immense pain and suffering to the individual, to the family, and the society as a whole. It recognises the plight of countless Palestinians that have been taken hostage by successive Israeli governments, and a majority of these Palestinian hostages have never been convicted of a crime, including those held in arbitrary detention without charge or trial. The Maldives strongly condemns the acts of Israeli authorities who are utilising arbitrary and lawful detention as a method of hostage-taking to support the ethnic cleansing of Palestinians from their homeland. It calls on Israel to release all persons in administrative detention without charge or trial, and to respect international humanitarian law and the basic human rights of these persons. The Maldivian government remains steadfast in its commitment to combating torture.

**Brazil** shares the concern with the rise of incidents of state hostage-taking, alongside the continued prevalence of non-state hostage-taking, which demand collective international attention. Hostage-taking requires a multidisciplinary approach. It can be recognised as a form of torture, but also of enforced disappearance and arbitrary detention. Its reported rise points to the erosion of respect for international human rights and humanitarian law, which calls for firm action from this Council. In Gaza, Brazil has consistently condemned the abduction of hostages by Hamas and other armed groups, and has demanded their immediate and unconditional release, as well as humanitarian access to them. Brazil has also condemned Israel's disproportionate reaction, which has so far deprived the lives of more than 47,000 Palestinians. All parties to the conflict are bound by international human rights and humanitarian law. Brazil reiterates its commitment to fight and prevent all forms of torture and ill-treatment. It is pleased to note that we are approaching universal ratification of the UNCAT, with strong support from Latin American countries.

**Ghana** thanks the Special Rapporteur for her comprehensive report. In the face of global human rights threats and major humanitarian crisis, the prohibition of torture remains crucial. Ghana believes that torture is both ethically unacceptable and ineffective in achieving legitimate security goals. Madam Vice President, Article 15, Clause 2B of our Constitution explicitly states that no person shall, whether or not he is arrested, restricted, or detained, be subjected to any other condition that detracts or is likely to detract from his dignity and worth as a human being. In this regard, Ghana concurs with the SR's recommendation that States permit access for independent monitors to all places where individuals are held hostage or deprived of their liberty. This will help reveal the suffering of hostages and ensure their psychological and physiological needs are properly addressed. As a country that has ratified the UNCAT and its Optional Protocol, and as a member of the Convention Against Torture Initiative (CTI), Ghana strongly condemns all forms of torture and other cruel, inhuman, or degrading treatment or punishment around the world.



40 years on from the creation of the Special Procedure on torture, I would like to reiterate the support of **Colombia** to the mandate and express its gratitude for the work that the SR and her predecessors have completed. Colombia expresses its gratitude for the report presented in the Council that addresses hostage-taking as a form of torture. As rightly said by the SR, kidnapping and hostage-taking are atrocious crimes that undermine human dignity and the fundamental principles of international law. These acts generate not just physical and psychological suffering that's devastating for victims, but they also deeply affect the families and communities and leave irreparable harm within the social fabric. Kidnapping is one of the manifestations of violence and torture lived and experienced by Colombians as part of the internal conflict. In order to strengthen mechanisms for memory, justice, and non-repetition, currently the Congress is studying a draft bill on the public report of those kidnapped. The eradication of kidnapping and torture is a moral imperative that requires decisive action. Colombia would like to highlight the importance of the adoption of Act 2371 of 2024, through which Colombia ratified the Optional Protocol to the UNCAT. The Constitutional Court should soon issue a sentence on its constitutionality in order to bring it into force. Colombia is also taking this decisive step within its legislation to reaffirm the UNCAT.

**Russia** categorically disagrees with the biased assessments and outrageous conclusions contained in the section of the report on Russia. In line with international obligations, Russia consistently condemns the use of torture and enshrines the right of citizens not to be subjected to torture as an absolute inalienable human right. This approach has been reflected in the Russian Constitution. As per its provisions in Russia, human beings' rights and freedoms are of the highest value. No grounds can be invoked to impair one's dignity. No one shall be subjected to torture, violence, other cruel and inhumane or degrading treatment. Such rights and freedoms, including the ban on torture, are directly effective. They define the sense, content, application of laws, the activities of the authorities and is guaranteed by the justice system. Clearly, the fundamental position of the State in this issue as well as the actual situation is of little interest to the SR since the foundation for her tirade against Russia is made up exclusively of materials put together by biased partisan NGOs and the Ukrainian authorities. Russia urges the SR to refrain from politicised approaches and the practise of double standards and caveat her work on the basis of principles of objectivity and impartiality as provided for in the Code of Conduct for HRC special procedures.

**Togo** is grateful to the SR for her report reviewing the question of hostage taking from the perspective of a complete prohibition of torture and takes note of the recommendations made. Hostage-taking constitutes not only an act of arbitrary detention but also creates a hotbed for the perpetrator in addition of acts of torture and other inhuman and degrading treatment. In Togo, hostage-taking constitutes a crime punishable by the provisions of Article 726 of the Criminal Code with a potential prison sentence of 10 to 20 years in certain particular circumstances such as aggravated theft. It is considered aggravated circumstance and has a maximum tariff associated with it. In Togo, criminal legislation is also in some circumstances focused on hostage taking as an act of terrorism and a war crime. Finally, Togo has ratified the International Convention of the United Nations on hostage taking as of 25th July 1986.

**China** categorically rejects the smear of arbitrary detention of foreign nationals in China in the report. As one of the first signatories of UNCAT, China always earnestly fulfils its obligations under



the Convention and carries out constructive dialogue with the Committee against Torture. China's legislation explicitly prohibits forcing confession with torture as well as any corporal punishment, maltreatment and abuse against detainees and provides rigorous punishment to any violation of the law. China has stressed the necessity to uphold the right approach to human rights, strengthen the law enforcement and judicial protection of human rights, further improve the regulatory system over the compulsory measures involving rights of persons and investigate and punish the criminal acts such as abusing power, illegal detention and forcing confession through torture. China will further enhance the legal protection of human rights accordingly. Some countries have longstanding problems of racial discrimination and violent law enforcement and arbitrarily initiate overseas military operations to set up offshore prisons and ill-treat migrants with torture, trumping over basic human rights. China urges relevant countries to practically fulfil their international obligations purely to protect basic human rights and hopes that the SR will give more attention to this.

As a State Party to the UNCAT, **Cameroon** is continuing its efforts to strengthen its institutional and legal framework to prevent and combat torture. In this vein and to support a better oversight of detention centres, Cameroon has triggered the process to deposit the various mechanisms to the United Nations around the optional protocol on torture and has increased the allocation of budget to its national prevention mechanism. In the context of capacity-building, teaching on the absolute prohibition of torture is systematically allowed for in schools and training centres for the security and defence forces and the prison and judiciary services among others. In cases of allegations of torture, disciplinary and legal sanctions are rigorously implemented. This illustrates the Government's will to ensure a zero tolerance principle in this area and Cameroon takes note of the emphasis placed by the SR on hostage taking as a form of torture. This hateful practise which targets individuals and communities constitutes a serious violation of international law. In the context of cooperation with international and regional partners to combat this phenomenon, Cameroon is committed to coordinating its efforts and actions in this area and Cameroon remains actively engaged.

As hostage-taking undermines the international human rights law and threatens international peace and security, **Bangladesh** condemns any forms of hostage taking including arbitrary detention and seeks international cooperation for its complete prohibition and ensuring accountability of the perpetrators. Bangladesh cannot help but notice the attention of the report on the occupied Palestinian territory despite the broader mandate of the SR. Bangladesh is deeply disappointed that the report ignored the plight of Palestinian hostages including older people, pregnant women, children and medical personnel. The report further fails to capture the sufferings of Palestinian hostages taken by Israel, many of whom have been incarcerated under torturous conditions for years. Bangladesh calls for a holistic, comprehensive, balanced and impartial approach in the work of the Special Rapporteur in accordance with the established code of conduct.

**Cuba** believes the SR's report does not appropriately reflect the genocide being committed by Israel against the Palestinian people and does not properly account for the numerous acts committed by the occupying power with the complicity of other states for more than 65 years of illegal occupation. Cuba reiterates its firm rejection of all forms of torture and cruel, inhuman or degrading treatment and punishment - practises which are prohibited in our constitution and are

severely sanctioned pursuant to its laws, considered to be crimes against humanity. As a State Party to UNCAT since 1995, Cuba will continue to strictly comply with the provisions of this instrument. Cuba would like to put it on record that the Cuban State is not responsible nor can it exercise its jurisdiction in the portion of Cuban sovereign territory illegally occupied by the United States around the military base of Guantanamo. As reiterated by Cuba several times, this is an international centre of torture and indefinite detention.

**Paraguay** is grateful for the report which gives account of the great damage generated by hostage taking, not only on primary victims but also on their families and the whole community. It appreciates the detailed analysis contained in the report and the recommendations provided to prevent and combat the scourge of hostage-taking. Paraguay also agrees with the need to have policies and programmes to protect and support engineered by states for victims of hostage taking and their families. Without doubt, the great number of incidents of hostage-taking in the world over requires collective international attention. At the same time, it is important to revitalise international commitments around this issue, strengthening international laws, prohibiting torture and hostage taking, and shoring up the legal shortcomings which have historically blighted this area.

Thanking the SR for her report, **Austria** shares the views that the taking of hostages by States and non-state actors, has become increasingly used as a tactic to achieve political or financial gains. Hostage-taking, like other forms of torture, is a crime that affects victims physically and psychologically. It also greatly affects the families, as they must endure living in fear of not knowing where their loved ones are, how they are being treated, and when or if they will see them again. It can even have a lasting impact on entire communities and nations. Condemning all forms of torture, Austria calls on all States to ratify and fully implement the UNCAT and the Hostages Convention.

Praising the SR's report, the **United Kingdom** unreservedly condemns the use of torture. There are no circumstances whatsoever that justify the use of torture or hostage taking. It is an abhorrent violation of human rights and human dignity. It strongly believes that the prevention of torture and tackling impunity for those who use torture are essential components of safeguarding our security and integral to a fair legal system and the rule of law. The UK is proud to work with partners and civil society to support torture prevention initiatives globally, including through our support for the Association for the Prevention of Torture (APT). The UK is a signatory of the Declaration Against Arbitrary Detention in State-to-State Relations and remains a vocal supporter of the Canadian-led initiative in its efforts to combat this practise. It encourages the small minority of States that have not yet done so to ratify and implement the UNCAT and the International Convention Against the Taking of Hostages.

In **Cambodia's** view, the report provides valuable input for the international community in our efforts to end torture and other cruel inhumane or disgraceful treatment or punishment, including taking hostages as torture, which is a violation of international law. Cambodia adhered to the UNCAT on 15 October 1992. Article 31 of the Constitution guarantees the Convention as part of Cambodia's law and Article 38 specifically prohibits torture and other ill-treatment, and declares that confessions obtained through torture shall be inadmissible as evidence of guilt. Lastly, Cambodia call towards the eradication of torture, ensuring justice and accountability for all.



For **Georgia**, the implementation of a coordinated state policy in the fight against torture and other forms of ill treatment remains a top priority. The penitentiary system reform of Georgia, based on the principle of health and management, has been focused both on effective implementation of penalties and protection of rights and dignity of prisoners. Stressing the important work of relevant international mechanisms, Georgia emphasises that the SPT, after conducting its visit to Georgia in October 2023, also underlined the significant progress in fighting torture and improving detention conditions. On the situation in the Russia-occupied Abkhazia and Tskhinvali regions of Georgia, regrettably, justice still has not been served for cases of torture, inhuman treatment and deprivation of lives of David Basharov, Giga Otkhozovia, Archul Tatunashvili, as well as in the case of the death of Irakli Korotshkelya and for the murder of Tamaz Ginturi and Temur Garbaniya. Bringing perpetrators to justice is of vital importance to prevent the sense of impunity and encouragement of ethnically targeted violence directed toward the Georgian population in Russia-occupied regions of Georgia.

Sharing the SR's deep concerns regarding the persistent and systematic use of torture, **Afghanistan** laments that under the Taliban, torture is systemic. Critical reports were presented by the OMCT last week confirming the routine use of brutal physical and psychological abuse against detainees, including former government officials, journalists, activists and members of ethnic and religious minorities. Public flogging, prolonged suspension from ceilings, suffocation techniques and execution remains entrenched practises, carried out with impunity. This is not incidental, but reflects a deliberate pattern of repression. Just two days ago, the Taliban handed over the body of Abdul Nassim to his family. He had died under torture. His fate is not an exception, but a pattern of brutality faced by many detainees. Women activists and protesters, along with their families, have been arbitrarily detained and subjected to execution, torture, intimidation and sexual abuse. Arbitrary arrest, enforced disappearance and torture are used to consolidate, control and suppress dissent.

Thanking the SR for her report, **Tunisia** is committed to promoting the combat against torture and other inhuman and degrading treatment or punishments. Tunisia has promoted human rights and freedoms in line with our international commitments and have ratified the UNCAT as of 1988 and are part of the optional protocol since June 2011. Chapter 25 of the Tunisian Constitution stipulates that the state must protect human dignity and the sanctity of the body and combat all physical or mental torture. This crime is not subject to the statute of limitations. Tunisia has a specialised body working in close cooperation with the judiciary and other government bodies. It also has a national directorate for prisons and rehabilitation which investigates any complaints concerning ill-treatment in prisons and collaborates with the Ministry of the Interior to ensure all appropriate guarantees of appropriate treatment and we take measures against any accomplices in this area. Tunisia condemns genocide and torture and other inhuman practise against the Gaza people and any other activities in associated territories. It calls for the full accountability for Israel for crimes committed.

Praising the SR's report, **Mauritania**, as a State Party to the UNCAT and its Optional Protocol, adopts a holistic approach to eliminate torture ensuring rapid and transparent investigations prosecuting any perpetrators of torture guaranteeing compensation to victims effectively in line with Law 033 of 2015 these acts constitute crimes against humanity and as a result of that are not subject to the statute of limitations. As of the moment that any individual is deprived of their



freedom that person must have fundamental guarantees. Education and awareness-raising around the prohibition of torture are integrated parts of the compulsory training of civil servants in relevant bodies. It also provides the necessary protection to victims of torture or treatment and any witnesses and those responsible for investigations and their family members. Furthermore, its national prevention mechanism has human and financial resources commensurate with its mandate and its members enjoy the necessary impunity for their operations. This mechanism receives complaints from victims of torture and other cruel and degrading treatment or punishments and carries out regular visits including press visits to all places of detention.

Article 46 of the Constitution of [Venezuela](#) states that all persons have the right to have their physical, psychological moral integrity respected. As a result, no person can be subjected to cruel, inhumane, degrading treatment or torture. In that regard, Venezuela rejects the groundless allegations contained in the report which say that supposedly, apparently there has been arbitrary detention of foreign citizens with the goal of using them to obtain financial influence. This allegation without sources, without verification, without any trustworthy methodological criteria is not only outrageous, disrespectful and politically motivated but it completely undermines the report and undermines the mandate and contributes to eroding the already broken credibility of the UNHRC. It is necessary to recall that in line with the Special Procedures Code of Conduct exercise of functions should be based on objective, credible facts.

Commending the SR's report, [the Gambia](#) remains steadfast in its commitment to eradicating torture and other inhuman or degrading treatment or punishment in all their forms. In recent years, the Gambia has undertaken significant reforms to strengthen the legal and institutional frameworks aimed at preventing torture. The establishment of the National Human Rights Commission and the enactment of the Prevention and Prohibition of Torture Act 2023 are pivotal steps in this direction. These measures underscore our dedication to upholding the highest standards of human rights and ensuring accountability for violations. The Gambia also recognises the indispensable role of civil society and human rights defenders in combating torture through their advocacy, monitoring and support for victims of torture. The Gambia is committed to fostering an environment where these actors can operate without fear of reprisal to ensure that they contribute meaningfully to our collective aspiration to eradicate torture.

[Lesotho](#) commends the SR for highlighting the enormous burden that hostage-taking can place on victims, a burden that extends far beyond physical captivity to profound distress on family members and long-lasting physical and psychological consequences even after a hostage has been released. Lesotho remains committed to upholding the principles enshrined in the UNCAT. The Government is working towards a national anti-torture legislation and policy and continues to host human rights trainings for members of the police service nationwide. It appreciates the analysis presented in the report, which vividly paints how hostage-taking, frequently and perhaps unavoidably, constitutes torture or other cruel, inhuman and degrading treatment. For every UN Member State, the prohibition of torture is absolute. It is non-negligible in any circumstance, including and especially in times of conflict. Equally prohibited is employing conflict as a means to conceal or justify acts of torture. Finally, Lesotho echoes her call for all hostages to be immediately returned to safety.



**Australia** condemns all forms of torture and other cruel, inhuman or degrading treatment or punishment, including in the context of hostage-taking and arbitrary detention. The use of these practises in state-to-state relations or for diplomatic leverage is particularly concerning. As the SR highlights in her report, psychological and physical harm imposed on individuals in detention, including acts that amount to torture or other ill-treatment, are unacceptable and can violate international law obligations. The human rights of detained individuals must be upheld at all times. Access to consular assistance from individuals' country of nationality must also not be restricted. This year marks the fourth anniversary of the Declaration Against Arbitrary Detention in State-to-State Relations. Australia takes this opportunity to reaffirm its commitment to the Declaration and encourages other states to do the same. This will contribute to the protection of individuals from the risk of arbitrary detention, torture and other ill-treatment.

**Botswana** concurs with the SR that hostage-taking for any purpose is apparently and universally unacceptable. It notes with concern that most victims are subject to forms of physical and mental torture as well as other cruel, inhuman and degrading treatment or punishment. It should be also noted that prohibition of torture or human punishment is enshrined in Section 7 of the Constitution of Botswana. Other pieces of legislation that prohibit torture include Section 61 of the Children's Act as well as Section 66 of the Botswana Defence Force Act of 2018. Botswana continues her efforts to adhere to the Hostages Convention by ensuring that her laws and policies adopted are aligned with the treaty obligations which include the Geneva Conventions and the UNCAT which Botswana is a State Party to. Furthermore, several pieces of legislation include the Anti-Human Trafficking Act and the Prisons Act which have been enacted to incorporate liability to prosecution and punishment of perpetrators. Botswana remains committed to her international human rights obligations including fortifying measures against the taking of hostages

For **Armenia**, torture is an abhorrent violation of human rights and human dignity which continues to challenge us. Despite international laws, human rights conventions and our collective moral compass, the practise of torture persists in various corners of the world. Armenia reaffirms its commitment to eradicating this heinous practise. Accountability is key to ending impunity and providing justice for victims. When perpetrators are not held accountable, it perpetuates a cycle of abuse and injustice. Impunity among other factors may be due to weak legal frameworks, corruption or political interference in the judicial processes. Once again, Armenia draw the Council's to the ongoing staged trials of the Armenian prisoners of war, hostages and other detainees in Azerbaijan. There is a large body of evidence that those 23 individuals are subjected to torture and other cruel and inhumane treatment. Last year in July, the Council of Europe's Committee on the Prevention of Torture issued a public statement pointing on persistent lack of cooperation by the Azerbaijani authorities with the CPT. In its last year's concluding observations, the UN Committee against Torture expressed alarm by widespread and persistent reports of the routine use of torture and ill-treatment in Azerbaijan.

**Jordan** concurs that hostage-taking is a crime in accordance with IHL. Noting that the SR's report refers to documents of OHCHR and the Independent Commission of Enquiry on the OPTs. Nevertheless, the report did not include important parts that fall within the purview of the mandate of the SR. The suffering of Palestinian prisoners and administrative detainees in Israeli occupation prisons have been documented in international reports. There is confirmation of



torture against them. These should be referred to. All crimes of torture must be condemned and should be included in this report. The suffering of innocent people should stop.

**Canada** thanks the SR for the report highlighting the egregious practise of arbitrary detention and state-to-state relations. Canada shares the SR's concern about the rising incidence of hostage-taking worldwide and welcomes her calls for collective international action. Using foreign and dual nationals for political leverage violates human rights and threatens international peace and security. It causes severe psychological and physical harm to victims, undermines friendly relations between states, disrupts travel and trade, and contravenes established principles of human rights, the rule of law, and judicial independence. In 2021, Canada and its partners launched the Declaration Against Arbitrary Detention in State-to-State Relations, a statement of global solidarity against using citizens as bargaining chips. Canada welcomes the SR's recommendation calling for additional States to join the 81 current endorsers of the Declaration so as to effectively address this issue as a global community. Hostage-taking of any sort is an affront to our shared humanity. Canada calls on States to unite against the practise and to defend human rights and the rule of law.

**Benin** takes due note of the SR's report, and welcomes the flair that she has shown in implementing her mandate. Benin commends the recommendations formulated in the report on the important issue of combating torture in situations of hostage-taking, and urges all actors concerned, state and non-state, to bear this in mind with a view to eradicating these practises. Benin recently completed the process of establishing its national torture prevention mechanism, and commends the recent decision to have it delisted from the list of countries lagging in application of the relevant provisions of the Optional Protocol to the UNCAT. It thanks the Secretaries of the UNCAT and the SPT for their support in that process. Benin also wants to reassure the new country Rapporteur designated for Benin of the willingness of the Benin authorities to fully cooperate with the SPT with a view to effective operationalisation of its national prevention mechanism. Finally, Benin urges other Member States who have not yet done so to implement their own NMPs, NPMs, to ensure, in that respect, effective implementation of the recommendations of mandate holders and of the competent treaty bodies.

In **Sudan's** war, the rapid deployment forces, the rebels, have perpetrated several practises that have been documented, including threats, humiliations, inhuman detentions, and using sexual violence as a weapon of war, as well as many violations that are tantamount to war crimes and crimes against humanity. This is a flagrant violation of international law and IHL. Sudan calls for a global condemnation of these crimes. In 2021 Sudan ratified the UNCAT, and it works on incorporating the provisions of the Convention in our domestic legislation.

Thanking the SR for her report, **Lebanon** welcomes the fact that the SR met with survivors of hostage-taking and highlighted the multiple impacts suffered not only by the victims themselves, but also by their families. Lebanon is fully aware of the need to protect, care for, and rehabilitate these victims, and to ensure they receive the needed assistance to recover from their traumatic experiences. Nevertheless, Lebanon would have preferred the report to be essentially forward-looking, and we fail to grasp the reason behind the cherry-picking methodology when the report highlights examples from past decades. When convening the past, it's necessary not to lose sight of complex situations and contexts. Subsequently, we consider it irrelevant the highlighting of a



particular episode of the Lebanese War, given that it ended in 1990, and like all wars, it was marked by violations committed by all parties to the conflict. It is vital for SR and mandate holders not to give the impression of politicisation or lack of impartiality. It is not always easy, but it's vital for conducting the mandate successfully. On a more positive note, Lebanon reiterates its support to the mandate of the SR, because we all seek to end all forms of torture.

**Kenya** takes note of the report of the SR and further appreciates her broader work. Kenya reiterates its unwavering commitment to the absolute prohibition of torture and other cruel, inhuman, or degrading treatment or punishment, and has prioritised implementation of robust legal and policy measures. Notably, Kenya enacted the Prevention of Torture Act in 2017, and the National Coroner's Services Act of 2017, which provide a legal framework for investigating deaths, particularly those involving suspicious, violent, or unexplained circumstances, and are crucial for ensuring accountability and justice, aligning with international standards. Kenya acknowledges the report's observations regarding challenges in implementation. While the Office of the Director of Public Prosecutions has faced challenges in prosecuting cases under the Prevention of Torture, Kenya is actively working to strengthen investigative capacity and ensure accountability for all allegations of torture. The Independent Policing Oversight Authority plays a vital role as an oversight authority, investigating complaints of police misconduct and fraud in cases. Ongoing efforts to enhance the capacity of law enforcement and judicial officials through training programmes focused on human rights standards are underway.

**Azerbaijan** shares the view that hostage-taking, particularly when accompanied by torture and committed as part of a widespread or systematic attack against a civilian population, constitutes a crime against humanity. Armenia's aggression against Azerbaijan was marked by serious human rights violations, including hostage-taking, enforced disappearance, torture, and ill-treatment of Azerbaijani civilians and POWs. Testimonies and substantial evidence indicate that all Azerbaijani prisoners of war (POWs) were subjected to torture, degraded treatment, and inhumane conditions, constituting a flagrant breach of international humanitarian law. The deliberate targeting of Azerbaijani civilians, including the capture and mistreatment of non-combatants, represents a grave violation of both international humanitarian and human rights law. Such actions amount to war crimes and crimes against humanity, necessitating full accountability. Against this background, Armenia has neither launched any investigations into the cases of degrading treatment of Azerbaijani POWs and detained civilians, nor cooperated in providing information about the whereabouts of 4,000 missing Azerbaijanis, many of whom were taken hostage. Azerbaijan calls on international community and relevant human rights mechanisms to exert pressure on Armenia to comply with its customary and treaty-based obligations under international human rights and humanitarian law, and ensure justice for the victims of these heinous crimes.

Taking note of the SR's report, **Algeria**, as a State Party to the International Convention Against the Taking of Hostages and the UNCAT, has lived up to its obligation by constitutionally prohibiting any forms of torture. The Council would recall in this regard Algeria's efforts as an intermediary in the release of the American hostages in 1981 and the latest release of the Spanish hostage in North Africa. Algerian diplomatic efforts continue to serve as an example for conducting mediation and hostage-release diplomacy. Allow me to make the following observation about the report. First, it conflicts international human rights law with stipulations of international



humanitarian law and international criminal law, which Algeria believes is beyond the mandate of the SR. Second, it addresses the issue of hostage-taking in a lopsided manner by presenting subjective determination of the cases. The SR focusses on the Israeli hostages but remains silent about the long-standing kidnapping of thousands of Palestinians, including women and children, by the Israeli occupation.

Thanking the SR's for her report, **Burkina Faso** stresses it has strengthened its own legislation when it comes to repression, repressing torture and hostage-taking. Those acts of extreme gravity are provided for and punished in the criminal code. Perpetrators can incur life imprisonment. Legislation also stipulates compensation and reparations, adequate reparations for the victims of acts of torture or hostage-taking. In the institutional framework for preventing torture, Burkina Faso has bolstered the National Human Rights Commission and has operationalised the national torture prevention mechanism in 2021 to better protect populations from various kinds of threats, especially hostage-taking in the context of terrorism. Burkina Faso has conducted reforms to bolster significantly the presence of interior security forces throughout the national territory. In conclusion, Burkina Faso reiterates its support for the mandate of the SR.

**Montenegro** thanks the special rapporteur for her important work and well-documented report on the crime of hostage-taking. Guided by the spirit of the landmark UNCAT, Montenegro celebrates its 40th anniversary with a renewed commitment to achieving a world free from torture in all its forms, including hostage-taking. This is at all times and in all situations, in conflict, crisis, counter-terrorism, and for all people everywhere. Torture is absolutely prohibited. It is never legal or justified, yet there is still a long way to go. But as the SR stressed, hostage-taking is an internationally unlawful act, which is incompatible with universally accepted standards of human conduct and with our collective humanity, but which, nonetheless, continues adapting to this day. In this regard, the SR's report refers to more than 15,000 Ukrainian civilian hostages, including children abducted and held by the Russian Federation, as well as the 251 individuals abducted by Hamas inside Israel as a part of its deadly attack on October 7, 2023.

#### **Views Expressed by Intergovernmental Organizations**

The **European Union** voices its firm appreciation and strong support to work and to mandate. It continues to condemn the use of torture and other cruel, inhuman or degrading treatment or punishment around the world. This mandate was created exactly 40 years ago. Much progress has been achieved since, but unfortunately we are not even close to eradicating torture and hence your work remains as pertinent as ever. The EU expresses concern over the increased use of torture or ill-treatment. It would like to highlight torture-free trade as a crucial step towards its full elimination and consider further steps to ban global trade in goods used for this purpose. The issue of hostage-taking is a form of torture and its increased use demands collective international attention. The EU also concerned about the rise in the number of arbitrary detentions in State-to-State relations. The EU further takes note of the relative deceleration in the number of ratifications of the Hostages Convention.

#### **Views Expressed by National Human Rights Institutions**

The **National Independent Human Rights Commission of Burundi** notes that Burundi has established an institutional and legal system, framework to combat torture, and allows all





associations that have been authorised to contact victims of acts of torture and to lodge complaints in their place and on their behalf. Despite this legal framework and institutional appropriate framework, the Commission declares the fact that certain allegations of torture or ill-treatment have ultimately been qualified by the judiciary as being voluntary bodily injuries, whereas sometimes the hallmarks of torture are all in place. This diversion of the qualification weakens attempts at repression. It recommends, therefore, officials in the criminal justice chain and in inspection services to take action against the authors of such poor qualifications. The Commission recommends the government to establish a national torture prevention mechanism and to create a compensation fund for the victims of torture as per the provisions of Articles 289 and 290 of the Criminal Procedure Code.

The **Palestinian Independent Commission for Human Rights** expresses deep disappointment at the SR's continued neglect of Palestinian detainees. Despite the unprecedented escalation of torture in Israel present since October 7, 2023, over 10,300 Palestinians, including women and children, have been arbitrarily detained, facing brutal torture, starvation, and medical neglect. Fifty-eight detainees have been tortured to death, yet this crisis is largely ignored. Palestinian detainees endure forced stress positions, sexual violence, dog-bite attacks, and extreme beatings. In state-demand military camps, detainees were brutalised, mutilated, and denied medical care, leading to forced amputations, mock executions, forced nudity, and psychological torture are widespread. Silence enables impunity. It calls on the SR to acknowledge and act on Israel's systematic use of torture. The Council must investigate Israel's use of torture and the extrajudicial killings in detention; ensure accountability under the UNCAT; and demand urgent disclosure of the fate of forcibly disappeared detainees.

The **Ukrainian Parliament Commissioner for Human Rights** thanks the SR for her report and confirming the facts of Russian crimes. For 11 years now, Russia has been pursuing a policy of genocide against the Ukrainian people, grossly and systematically violating international humanitarian law. It has been torturing and ill-treating Ukrainian prisoners of war and civilians. Russia illegally detains more than 16,000 Ukrainian civilians in captivity. They are being subjected to torture, inhuman treatment and sexual violence and kept in complete isolation from the outside world. Russia is blocking the issue of returning civilians and uses them as an element of political pressure. It calls on States to condemn such actions and demand that Russia stop torturing and ill-treating Ukrainian prisoners of war and civilian detainees. Moreover, it urges the SR to continue to support all relevant initiatives on the UN platform aimed at ending Russia's war crimes and crimes against humanity.

#### **Views Expressed by Non-Governmental Organizations**

The **European Union of Jewish Students** extends its deep gratitude to the SR for shedding light on the dire situation of the Israeli hostages held in Gaza since October 7, 2023. For nearly 510 days, men, women, children, elderly have endured unimaginable suffering deprived of their freedom and basic human rights and even the most fundamental necessities of life. Even death is brutally desecrated, violating every religious value and legal principle. The mutilation and degradation of bodies show a level of cruelty that defies all notion of dignity and respect for life itself. The released hostages have spoken of relentless beating, starvation, psychological torment and a complete disregard for human dignity. People are kept in darkness, families are



separated and captives are treated as burdened sheep rather than human beings. The survivors have painted a chilling picture of systematic abuse and unimaginable suffering at the hands of Hamas while the world is turning a blind eye on them and multiplying horrible comparisons. In Gaza, there are still 59 hostages who cannot become forgotten victims. Their freedom must remain an urgent priority for all of us. It is our responsibility to demand release of each and every single one of the hostages.

Speaking on behalf of the United Consortium against Torture and IBAHRI, the **World Organization against Torture** welcomes this dialogue and wish to express deep concern over the widespread violations of the right to be free from torture and ill-treatment in the context of protests. Over the past year and early months of 2025, we have seen harsh crackdowns on protests around the world from Bangladesh to Kenya, Venezuela and Georgia amid reports of police violence and ongoing allegations of torture and ill-treatment. We welcome HRC Resolution 56/10 on peaceful protests, which reaffirms the absolute prohibition of torture, including when an assembly is no longer peaceful. It urges all Member States to implement all necessary measures to prevent torture and ill-treatment, ensure accountability and provide reparation and rehabilitation. Repressing policing has been accompanied by an increasing use of crowd-controlled weapons, including, in some cases, former military-grade weaponry, leading to severe and lasting injuries. Some of those weapons and tools used are listed in the Annex of the 2022 SR's reports to the General Assembly as equipment that should be prohibited, as they are inherently cruel, inhuman or degrading. In this regard, it commends the Alliance for Torture-Free Trade for its work and call on Member States to actively support the creation of a Torture-Free Trade Treaty.

The **International Association of Jewish Lawyers and Jurists** takes the floor through the mother of Alon, a 20-year old young man kidnapped on 7 October 2023 at the Nova Festival, who is still being held in Gaza. He was taking refuge in a bomb shelter along with 26 other innocent young people who had fled from the festival. The terrorists used rocket-propelled grenades (RPGs) and hand grenades in their attempt to kill them all. Of the 27 individuals present, 16 were murdered, 4 were taken hostage and only 7 survived. Recently, released hostages reported that Alon has been confined in a small dark tunnel, 40 metres underground, for over 500 days. He is constantly chained at his ankles, subject to beatings and starvation, and has lost significant weight. He has check nails in one eye, leaving him blind, and there is a severe concern that he will lose his sight in the other eye as well. While the hostages endured physical trauma, their families have suffered recently reckless psychological abuse. The abuse of propaganda videos and the absence of any information deepens our anguish. Bring Alon home. Bring them all home.

While commending the SR for recognising in her visit report to Chile the urgent need for differentiated approaches to protect LGBTIQ+ individuals in detention, the **Advocates for Human Rights** laments that yet, in too many places, these protections remain absent, leaving transgender people exposed to systemic violence and human rights violations. In the United States, recent executive decisions and state actions have instilled harmful practises that deny gender-affirming care and forcibly rehouse transgender individuals based on their sex assigned at birth, not their identity. This is not just neglect. It is state-sanctioned harm, stripping people of dignity and putting lives at risk. Elsewhere, detention administrators isolate LGBTIQ+ individuals under the guise of protection, often placing them in prolonged solitary confinement. But as Principle 9 of the Yogyakarta Principles reminds us, protection must not come at the cost of



greater rights restrictions. Solitary confinement is not safety. It is cruel and inhumane treatment. True justice is measured not only in laws, but in the dignity we uphold. When detention erases identity instead of protecting it, we must ask, whose humanity is being safeguarded? It urges the SR to investigate, document and issue clear recommendations on the treatment of LGBTIQ+ individuals in detention in a future reporting and state visit.

The **Brazilian Institute for Human Rights** explains that Brazil is compulsory subject to the UNCAT and its Optional Protocol. In 2013, it set up a national preventive mechanism. There are currently 9 Committees and 5 mechanisms. The entire system suffers from precariousness due to financial resources. The Institute sees a lack of understanding at central government level around the need to bolster the system to combat torture and the single health system suffers from the same problems as well as the needs of those who have suffered from torture. As Brazilian prisons are centres of serious human rights violations, the Institute believes the Government must bolster the national and regional systems to protect against torture and spare no efforts.

**Africa Culture Internationale** is seriously concerned by the human rights situation in Tindouf and the serious attacks against the human rights, particularly of those who have been attempting to stand up the human rights victims in those camps and particularly victims of rights violations committed by the armed forces and the police. In a sense, individuals have been attacked by the Polisario and the armed forces more generally. The Algerian armed forces have meted out violence against individuals who have been detained in unknown locations as well and this is strongly suggestive of enforced disappearance. There are patterns of physical and mental threats that are carried out against victims and defamation campaigns within the camps as well. Human rights defenders must intervene along with the international community to end the situation that is prevalent at the moment in the Sahrawi camps. International security and safety must be guaranteed.

**Al Salam Foundation** draws the Council's attention to the ongoing torture in Bahrain's prisons, where political prisoners, especially minors, endure beatings, insults, prolonged isolation, and medical neglect. Authorities systematically use torture to extract confessions and silence victims, clearly violating international human rights laws and children's rights. One example is 17-year-old Abbas M.J., arbitrarily arrested on 26 August 2024, for participating in peaceful gatherings. He was beaten during investigations, suffering a severe head injury, and receiving inadequate medical care. He was sentenced to one year and a half in prison, with trials based on coerced confessions. He still awaits trial in other cases, relying on the same forced confessions, facing a likely sentence increase. Prison officials further punish detained minors with isolation and denial phone calls. For example, 16-year-old Mohammed Issa Khatam was denied family contact and outdoor cell phone for a week, simply for speaking loudly.

The **Legal Analysis and Research Public Union** draws the Council's attention to a long-overlooked humanitarian tragedy, the forced displacement and systematic torture of Azerbaijanis expelled from Armenia in the late 1980s. Over 250,000 Azerbaijanis were brutally uprooted in a campaign of ethnic cleansing. They endured severe violence, including beatings, psychological violence and human treatment. Despite international human rights principles, Armenia continues to deny displaced Azerbaijanis their fundamental right to return. In recent years, Azerbaijan has uncovered numerous mass graves in its liberated territories in the Karabakh



region, revealing shocking evidence of the brutal treatment inflicted upon captured individuals. Forensic analysis confirms that many victims suffered torture and inhuman treatment before their execution. Two Azerbaijani soldiers were unarmed and lost in poor weather conditions were captured. To our shock and dismay, footage of their torture was widely circulated in Armenian media. Underscoring the ongoing pattern of ill-treatment, there has been no significant effort by the Ombudsman to investigate all of the mentioned facts.

The **Gender Persecution in Afghanistan, the Accountability Working Group and the LGBTIQ+ Organization** condemn the Taliban's systematic use of torture and degrading treatment against women, girls and LGBTIQ+ people. Under Taliban rule, gender-based crimes are not just tolerated but institutionalised. Women and girls who defy the Taliban's oppressive degrees face arbitrary detention, forced disappearance and torture, including public lashing, sexual and other violence. The Taliban subjects LGBTIQ+ Afghans to sexual violence as well as public lashing and other torture in detention centres. Some are extrajudicially executed. They urge the international community to call on the Taliban to cease the crime against humanity of torture and gender persecution against women, girls and LGBTIQ+ individuals and ensure that all people in Afghanistan are treated with dignity and respect. Two, prioritise accountability over engagement with the Taliban and support the ICC's investigation and decision to hold the Taliban accountable. Three, ensure Afghan women, girls and LGBTIQ+ people have a meaningful role in international decision-making in Afghanistan. Four, offer protection for Afghan women and girls and LGBTIQ+ people at risk by extending humanitarian aid, offering asylum and humanitarian visas.

Taking the floor on behalf of the **International Federation of ACAT**, ACAT Burundi draws the Council's attention to the alarming human rights situation in Burundi. Arbitrary detentions of political opponents and human rights defenders, as well as journalists who have been imprisoned on the basis of groundless accusations, are a serious issue. This is becoming a regular practise in Burundi in order to oppress any criticism of the regime. Arbitrary detention often begins with kidnapping by agents from the information service and leads to detention in an unknown place in premises of information services or Burundi prisons, as happened to the journalist Sandra Muhoza, who was detained arbitrarily on 13 April 2024. In 2024, as a whole, ACAT Burundi documented 119 cases of arbitrary detention and more than 50 of enforced disappearance. Unfortunately, impunity is the rule. The perpetrators are neither identified nor prosecuted by the justice system. It calls on the international community, and particularly the SR's mandate, to urge the Burundian government to respect its international obligations under the UNCAT, which it ratified in 1993, and to immediately free unconditionally all those arbitrarily detained, including the journalist Sandra Muhoza.

## FACTS & FIGURES ON ID PARTICIPATION

### 57 State Delegations

#### 1 Inter-Governmental Organization

#### 3 National Human Rights Institutions

#### 10 Non-Governmental Organizations