Resolution adopted by the Human Rights Council on 24 March 2017

34/19. Torture and other cruel, inhuman or degrading treatment or punishment: mandate of the Special Rapporteur

The Human Rights Council,

Recalling international human rights law, standards and guidelines on torture and other cruel, inhuman or degrading treatment or punishment,

Reaffirming that no one shall be subjected to torture or to other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right under international law that must be respected and protected under all circumstances, including in times of international and internal armed conflict or internal disturbance or any other public emergency, that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in the relevant international instruments, and that legal and procedural safeguards against such acts must not be subject to measures that would circumvent this right,

Recalling also that the prohibition of torture is a peremptory norm of international law, and that international, regional and domestic courts have recognized the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

Recognizing the importance of the work of the Special Rapporteur in the prevention and fight against torture and other cruel, inhuman or degrading treatment or punishment,

Recalling Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. Decides to extend the mandate of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for a further period of three years:

(a) To seek, receive, examine and act on information from Governments, intergovernmental and civil society organizations, individuals and groups of individuals
2. Urges States:

(a) To cooperate fully with and to assist the Special Rapporteur in the performance of his or her tasks, to supply all necessary information requested by him or her and to fully and expeditiously respond to his or her urgent appeals, and urges those Governments that have not yet responded to communications transmitted to them by the Special Rapporteur to answer without further delay;

(b) To respond favourably to the Special Rapporteur’s requests to visit their countries, and to enter into a constructive dialogue with the Special Rapporteur on requested visits to their countries;

(c) To ensure, as an important element in preventing and combating torture and other cruel, inhuman and degrading treatment or punishment, that no authority or official orders, applies, permits or tolerates any sanction, reprisal, intimidation or other prejudice against any person, group or association, including persons deprived of their liberty, for contacting, seeking to contact or having been in contact with the Special Rapporteur or any other international or national monitoring or preventive body active in the prevention and combat of torture and other cruel, inhuman or degrading treatment or punishment;

(d) To ensure proper follow-up to the recommendations and conclusions of the Special Rapporteur;

(e) To adopt a victim-centred and gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to the views and needs of victims in policy development and other activities relating to rehabilitation, prevention and accountability for torture and other cruel, inhuman
or degrading treatment or punishment, and gender-based violence that constitutes torture or other cruel, inhuman or degrading treatment or punishment;

(f) To become parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to give early consideration to signing and ratifying the Optional Protocol thereto as a matter of priority, and to designating or establishing independent and effective national preventive mechanisms for the prevention of torture and other cruel, inhuman or degrading treatment or punishment in a timely manner;

(g) To ensure appropriate follow-up to conclusions, recommendations, requests for further information and views on individual communications of the relevant treaty bodies, including the Committee against Torture and the Subcommittee on Prevention of Torture;

(h) To consider providing adequate support to the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

3. Takes note with appreciation of the report of the Special Rapporteur;¹

4. Requests the Secretary-General to ensure, from within the overall budgetary framework of the United Nations, the provision of an adequate and stable level of staffing and the facilities and resources necessary for the Special Rapporteur, bearing in mind the strong support expressed by Member States for preventing and combating torture and assisting victims of torture;

5. Decides to continue to consider this matter in conformity with its annual programme of work.

57th meeting
24 March 2017

[Adopted without a vote.]

¹ A/HRC/34/54.