

**Opening Statement for the consideration of Austria's third periodic report
under Article 19 of the Convention against Torture**

Mister Chairman,

Ladies and Gentlemen,

It is an honour for me to present Austria's policy against torture to the distinguished experts of the Committee against Torture today. The promotion and protection of human rights and the rule of law are important priorities of Austria's domestic and foreign policy. Therefore, the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is of major relevance.

Before going into the details of today's consideration of Austria's present periodic report under Article 19 of the Convention let me introduce to you the members of the Austrian delegation. Taking into account the wide range of topics the list of issues touches upon, experts from the Ministry of Justice, the Ministry of Interior and the Ministry of Foreign Affairs will be at your disposal to answer all the questions you might want to raise (siehe beiliegende Liste).

Let me emphasise the fact that cooperation with international monitoring and prevention mechanisms in the field of torture is of central importance to Austria. The present periodic report submitted by Austria in accordance with article 19 of the Convention against Torture follows two reports which we have submitted in previous years. This shows Austria's strong commitment for an ongoing dialogue with international mechanisms and good cooperation with the Committee against Torture.

Let me also point out that Austria is not only committed to the work of the UN Committee against Torture, but it is also in good cooperation with the European

Committee for the Prevention of Torture (Council of Europe) that has paid its last visit to Austria from 14 to 23 April 2004. The report of the Committee on its visit to Austria and the response of the Government of Austria to the report have been published upon Austria's request.

Another important aspect of further advancement in the field of torture is the launch of the Optional Protocol to the UN Convention against Torture which Austria fully supports and which it signed on 25 September 2003. Austria is currently working on possibilities to implement and ratify the mentioned Protocol at the earliest date possible. All political parties in Austria welcome the setting up of a national mechanism that would conduct periodic visits to places of deprivation of liberty in order to prevent torture and other cruel, inhuman or degrading treatment or punishment, since this would undoubtedly strengthen the existing mechanisms in place.

Mr Chairman,

Ladies and Gentlemen,

In the first half of next year, Austria will take on the presidency of the European Union. In this context, Austria has ambitious plans in the human rights sector as a whole and in the area of torture in particular. One of the human rights priorities during Austria's Presidency will clearly be the furthering of the EU Guidelines on Torture. The purpose of the EU Guidelines is to prevent and eradicate torture and to take up this issue in meetings with third countries as well as in multilateral fora. For instance, Austria as Presidency of the EU will continue demarches in countries that have not yet ratified the Convention against Torture. Austria – on behalf of the EU - will also

continue lobbying efforts regarding the Optional Protocol to the Convention. In addition to this we will also put efforts in constructive dialogues with countries where there is no response to a request for a visit by the UN Special Rapporteur on torture. Moreover, with regard to individual cases of torture victims, Austria will encourage EU partners to engage in demarches in the countries concerned.

Mr Chairman,

Ladies and Gentlemen,

Until 11 September 2001 the prohibition of torture appeared to be almost self-evident and as a consensual goal. However, under the impression of the fight against terrorism, doubts have been raised about the absolute character of the prohibition of torture. This makes clear that we have to continue our global efforts for the promotion of human rights and the prohibition of torture.

Austria is actively engaged domestically and internationally in furthering a policy that aims at eradicating torture and other cruel, inhuman or degrading treatment or punishment worldwide. All persons responsible in this area, be it in the creation of new legislation or in the execution of existing laws, are well aware of the importance to abolish all forms of mistreatments of persons. Therefore and as a matter of course, efforts with regard to the eradication of torture will be continued also in the future.

Let me assure you that Austria remains strictly committed to this endeavour.

I would like to thank you for your attention and am looking forward to a constructive discussion and cooperation for today's and tomorrow's consideration of Austria's report.