

Delegation of the Russian Federation

**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1191st MEETING OF THE
OSCE PERMANENT COUNCIL**

5 July 2018

On the International Day in Support of Victims of Torture

Mr. Chairperson,

Torture and other inhuman or degrading treatment and punishment is one of the most serious human rights violations, and eradicating this scourge is a task of relevance for the entire OSCE area.

International law has developed a large body of obligations to combat torture and other degrading treatment or punishment. The OSCE participating States have recognized that there are no circumstances that can serve as justification for the use of torture.

But a number of OSCE participating States systematically violate these obligations. The United States of America has yet to eradicate the practice of detaining people indefinitely without trial, or of extraordinary rendition, forced and clandestine transfer of detainees to secret prisons on the territory of third countries followed by unlawful detention in custody, interrogation using torture and other forms of inhuman or degrading treatment, and this with the direct participation of foreign countries, including OSCE participating States.

A vivid example in this context is the situation with the Russian pilot Konstantin Yaroshenko, who was unlawfully arrested, taken to United States territory and judged in a parody of a trial in violation of the United States' international commitments. It is well known, and recent events confirm this, that Mr. Yaroshenko was subjected to torture and to other inhuman methods of pressure, including refusal to provide the necessary medical assistance.

It is unacceptable to use the principle of extraterritoriality to avoid fulfilling international obligations or to bypass national legislation prohibiting the use of torture or other inhuman and degrading treatment and punishment.

We are seriously concerned by the use by the United States intelligence services of so-called "enhanced" interrogation methods, forced feeding, and refusal to provide adequate

medical assistance to detainees, which amounts to torture or other inhuman and degrading treatment.

Despite its many assurances, Ukraine is also taking no effective steps to investigate systematic human rights violations by the Ukrainian security forces, particularly the Ukrainian Security Service and the nationalist battalions. It is well known that their crimes include torture, abductions, arbitrary detention, extrajudicial executions and sexual violence. Those responsible continue to enjoy complete impunity.

There have been numerous cases where brutal torture has been used to force civilians to confess to being members of the militia. The security forces have suffocated them with gas masks, imitated drowning, used electric shocks and simple beatings. Elderly people have been subjected to abuse in prison simply for the fact that their relatives have been suspected of “separatism”. Very telling in this respect is that in 2016 the Ukrainian Security Service prevented a delegation from the United Nations Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment from visiting its offices in Mariupol and Kramatorsk, where officers were suspected of using torture.

At one of the Permanent Council meetings we discussed a report by the United Nations Human Rights Monitoring Mission in Ukraine, which spoke of five secret prisons established by the Government and described cases of arbitrary arrest and cruel treatment of detainees. The report noted the scale of the use of torture, which is supported by the Ukrainian authorities and practised by Ukrainian Security Service officials. And this is only the tip of the iceberg that the monitors could not ignore.

It seems that the Ukrainian security services have drawn inspiration from the “best practice” of the United States and the European Union in the form of Guantánamo and the CIA secret prisons in Europe. We thus have serious reason to doubt the ability and, most importantly, the desire of the Ukrainian authorities to conduct a thorough and objective investigation into cases of torture and inhuman treatment.

All of this confirms that there is still much to be done in the OSCE area to make the fight against torture and inhuman treatment more effective. We have heard repeatedly from our colleagues about the need to strengthen the OSCE’s commitment in this area. The OSCE worked for several years to draft a document on this issue, but it was not able to adopt it because of the unwillingness of some countries to have the document reflect a number of the most serious issues and thus demonstrate their readiness to eradicate flawed practices, without which an effective fight against torture and other forms of degrading treatment and punishment is not possible.

Thank you for your attention.