

Chairman Smith and Congressman Pitts,

Thank you for the focus of today's briefing, reviewing issues of torture within the OSCE region as you prepare for the OSCE parliamentary meeting. Thank you as well for the opportunity to appear before you.

You have heard compelling testimony today about the extent of torture in two specific parts of the OSCE, Turkey and Chechnya. Unfortunately, the discussion could extend to many other nations in the region.

Amnesty International's recent report cites violations of torture and inhumane treatment in 34 countries in the European region. It is also critical of the situation in the U.S., as was the recent meeting of the UN Committee Against Torture.

In its recent report, he respected "International Helsinki Federation for Human Rights" states:

"Torture, ill treatment and police misconduct are the most wide-spread human rights problems among the states of the Organization on Security and Cooperation in Europe (OSCE) today. Europe makes no exception to the general picture of mistreatment of individuals kept under the custody of representatives of State authorities that can be drawn worldwide."

Reports from other monitoring organizations, such as Amnesty International and Human Rights Watch, confirm this bleak outlook.

Yet OSCE declarations and ambitions seek to create the region as a torture-free zone and as a model for achieving security based on high human rights standards.

In March, the OSCE/ODIHR held a Supplementary Human Dimension Meeting on "Human Rights and Inhuman Treatment or Punishment." The discussions and recommendations focused on pre-trial detention, prison conditions, and the death penalty.

The meeting issued a set of 44 recommendations to improve the conditions of pre-trial detention to prevent torture. The report is a useful summary of recommendations of practices already discussed and developed, plus some specific operational opportunities for the OSCE to undertake.

The first recommendation to end abuse during pre-trial detention is: "Political leadership should be exercised." This is true. Yet it begs the question about how the political will can be mobilized so that leadership will be exercised. And this is true for most of the recommendations. They assume good will, despite the fact that torture is so widespread throughout the region.

One such recommendation is that there should be at least one rehabilitation center for torture survivors in each nation of the region. The importance of this approach has become increasingly clear to many political leaders. A treatment center for torture survivors

- Restores leadership of the community stolen by repression;
- Helps victims, their families, and their communities overcome purposefully induced fear;
- Mobilizes the health care community through a practice that engages many in treatment, and produces knowledge and awareness about torture's purpose and impact;
- Creates political space that others may join to begin working together against torture;
- Provides research that improves forensic capacity to identify and prove when torture is used;
- And begins to meet the state's obligation under Article 13 of the Convention Against Torture that all victims should receive as full rehabilitation as possible.

Rehabilitation programs are established, if underfunded, in North America and most of Western Europe, with some notable exceptions (Spain and Portugal). And there are several excellent institutions in countries of repression or recent repression, such as ICAR in Romania and the Human Rights Foundation of Turkey. Programs in Latvia and Estonia are helping to deal with the legacy of the Soviet regime. But other programs are relatively weak and quite new.

Treatment programs have been established in Croatia and Bosnia-Herzegovina, Serbia, Albania, Russia, the Ukraine, and Kosovo. In fact, there are now rehabilitation centers for torture victims in 14 countries of the 28 countries of Central Eastern Europe and the Newly Independent States.

But the nations of Central Asia and the Caucuses as yet do not have rehabilitation programs, either for the victims of the former Soviet system or for those generated, all too often, by the current governments.

The International Rehabilitation Council for Torture Victims (IRCT) obtained funds from the European Union to help stimulate the development of new treatment centers and fund their first six months of existence. We had hoped that USAID and other development agencies would then step in to help secure these institutions growth and stability while they developed their treatment models and institutional capacities. With the exception of DANIDA, however, few other development agencies have been involved supporting treatment programs for torture survivors, and DANIDA by law cannot support programs in the OSCE region. Thus the need is more

urgent to find a resource for financial and political support from the West to develop and to sustain new treatment centers if we are to meet the recommendations of numerous OSCE meetings on the subject.

Without outside financial support, we are also in danger of losing some of the more experienced treatment programs, such as ICAR in Romania, just at the time we should be drawing on their accumulated expertise to help develop other programs in the region. This was the tragic experience in Chile and Argentina, where many vibrant institutions disappeared when international focus shifted to other regions of the world. Thus the world lost a resource that would have been helpful to promote the treatment programs in Peru and Colombia and elsewhere in Latin America. I'm afraid this is also occurring in Southern Africa. It will be an important legacy of this Commission if, together with the OSCE, it can help mobilize the political will to prevent this from also happening in the OSCE region.

Establishing a treatment program will not by itself end torture in that country. It will have many positive impacts and, I believe, is an essential component of any overall effort to end torture. But like any single tactic, it will not succeed on its own. Torture exists in highly complex systems, and is reinforced by police training and impunity, prosecutorial zeal, political revenge and fears, corrupt or inefficient judiciaries, public attitudes and apathy, even apathy caused by fear. The use of torture will not yield to individual tactics, no matter how well conceived or pushed by governments, by non-governmental organizations, or by international agencies. The list of 44 recommendations on how to eliminate torture during pre-trial detention attests both to the deeply embedded nature of the problem and the steps we know must be taken to end torture.

What is missing is a body that pulls these steps into a comprehensive strategy able to wage campaigns, country by country if need be, to mobilize the political will necessary to implement the steps recommended. We need leadership with strategic capacity that can assess the components, specific causes, and beneficiaries of the national use of torture, and then draws together the many agencies and approaches with an interest and capacity to contribute their piece of the campaign.

This is what I hoped the OSCE could provide, with its unique combination of economic and security concerns and expertise with strongly grounded values in human rights and democratic cultures. But it is also an agency of governments. And even governments who proclaim loudly their desire to end torture are not readily convinced to participate in a global effort of this magnitude. The vision for this must come from its members, especially from the U.S. It must be a highly visible political goal to struggle for agreement to have the organization fulfill this strategic role.

I believe this is the effort that must come from this Commission. Thank you.