

# SUMMARY

## Special Rapporteur on torture and other cruel, inhuman or degrading treatment of punishment (2011–2017)<sup>1</sup>



### Current Special Rapporteur:

**Dr Nils Melzer** (Switzerland)  
Since November 2016 (probably until November 2020)

### Contact details:

Special Rapporteur on torture and other cruel, inhuman or degrading treatment of punishment  
OHCHR-UNOG,  
8-14 Avenue de la Paix  
1211 Geneva 10,  
Switzerland  
Fax: + 41 22 917 9006  
Email: [sr-torture@ohchr.org](mailto:sr-torture@ohchr.org)

### Former Special Rapporteurs:

- Mr. Juan Ernesto MÉNDEZ (Argentina), September 2010-October 2016
- Mr. Manfred NOWAK (Austria), 2004-2010
- Mr. Theo VAN BOVEN (The Netherlands), 2001-2004
- Mr. Nigel RODLEY (United Kingdom of Great Britain and Northern Ireland), 1993-2001
- Mr. Peter KOOIJMANS (The Netherlands), 1985-1993

## SUMMARY OF WORK

### Countries Visited

Where SOGIESC mentioned in the report	Where SOGIESC not mentioned in the report
<p><b>Mexico</b> (February 2017) – <a href="#">Report</a>, para. 71.  <b>Brazil</b> (August 2015) – <a href="#">Report</a>, paras. 32-34, 36, 148f.  <b>The Gambia</b> (November 2013) – <a href="#">Report</a>, paras. 93 &amp; 107g.</p>	<p><b>Sri Lanka</b> (December 2016)  <b>Mauritania</b> (December 2016)  <b>Georgia</b> (March 2015)  <b>Ghana</b> (February 2015)  <b>Tunisia</b>, follow-up visit (June 2014)  <b>Tajikistan</b>, follow-up visit (February 2014)  <b>Kyrgyzstan</b> (May 2012)  <b>Morocco</b> (February 2012)  <b>Greece</b> (October 2010)</p>

### Annual Thematic Reports

<p><b>July 2017 (72<sup>nd</sup> Session GA)</b>  <a href="#">Extra-custodial use of force and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment</a></p>	No SOGIESC references
<p><b>February 2017 (34<sup>th</sup> Session HRC)</b>  <a href="#">Overview of the activities of the mandate during reporting cycle</a></p>	No SOGIESC references

<b>August 2016 (71<sup>st</sup> Session GA)</b> <a href="#">Torture and other cruel, inhuman or degrading treatment or punishment</a>	No SOGIESC references
<b>January 2016 (31<sup>st</sup> session HRC)</b> <a href="#">Assesses the applicability of the prohibition of torture and other cruel, inhuman or degrading treatment or punishment in international law</a>	Paras. 5, 7-10, 13, 15, 32-35, 38, 39, 48, 51, 57, 59, 60, 68, 70, 70q, 70r, 70t, 70w, 70y, 70z, 72g, 72i, 72j, 73 Strong reference to SOGIESC (assesses the applicability of the prohibition of torture and other cruel, inhuman or degrading treatment or punishment in international law to the unique experiences of women, girls, and lesbian, gay, bisexual, transgender and intersex persons, as well as rape, sexual violence and domestic violence)
<b>March 2015 (28<sup>th</sup> session HRC)</b> <a href="#">Children deprived of liberty</a>	Paras. 48, 86g. Brief mention to SOGIESC (LGBTI children are at heightened risk of violence in detention)
<b>September 2014 (69<sup>th</sup> Session GA)</b> <a href="#">Interim report of the Special Rapporteur</a>	No SOGIESC references
<b>April 2014 (25<sup>th</sup> session HRC)</b> <a href="#">Exclusionary rule in judicial proceedings</a>	No SOGIESC references
<b>August 2013 (68<sup>th</sup> Session GA)</b> <a href="#">Procedural standards and safeguards from the perspective of the prohibition of torture or other ill-treatment</a>	Para. 47, 67. Good reference to SOGIESC (in the context of discrimination and risks suffered by vulnerable groups (LGBTI))
<b>February 2013 (22<sup>nd</sup> Session HRC)</b> <a href="#">Abusive practices commonly reported in health-care settings</a>	Paras. 38, E4, B3. Good reference to SOGIESC (ensure qualitative health-care and access to medical treatment)
<b>August 2012 (67<sup>th</sup> Session GA)</b> <a href="#">New developments and State practice are taken into consideration</a>	No SOGIESC references
<b>January 2012 (19<sup>th</sup> Session HRC)</b> <a href="#">Further discussion of the standards that apply to the establishment and conduct of commissions of inquiry</a>	Para. 62. Brief reference to SOGIESC (inclusion of vulnerable groups perspectives to raise awareness and understanding)
<b>August 2011 (66<sup>th</sup> Session GA)</b> <a href="#">The issue of solidarity confinement</a>	Paras. 42, 69. Brief reference to SOGIESC (in the context of their protection through solidarity confinement)
<b>February 2011 (16<sup>th</sup> Session HRC)</b> <a href="#">SR advocates a victim-centered, approach to the work of his mandate</a>	No SOGIESC references

Individual Complaints		
Country/Date/IC type	SPs	Problem
<b>Russian Federation</b> <a href="#">JUA</a> , 13 Apr 2017	Arbitrary detention; executions; torture; SOGI; freedom of expression	Alleged unlawful detentions, torture and extra-judicial killings of men perceived to be gay or bisexual in Chechnya.
<b>Indonesia</b> <a href="#">JAL</a> , 19 Apr 2016	Freedom of opinion; human rights defenders; torture; health	Alleged harassment, arbitrary detention and risk of torture and ill-treatment suffered by lesbian, gay, bisexual and transgender (LGBT) people from Indonesia's Aceh province due to the enforcement of Islamic criminal by-laws.

<b>Tunisia</b> <a href="#">JAL</a> , 2 Nov 2015	Arbitrary detention; independence of judges and lawyers; torture; health	Allegations of physical abuse, degrading medical examination, improper judicial proceedings, and criminal conviction of a 22-year-old man apparently based solely on his perceived sexual orientation.
<b>Zambia</b> <a href="#">JAL</a> , 9 Apr 2015	Independence of judges; torture	Alleged arbitrary arrest and prosecution of two men on the sole basis of their sexual orientation, as well as alleged unfair trial.
<b>Egypt</b> <a href="#">JUA</a> , 8 Jan 2015	Arbitrary detention; independence of judges and lawyers; torture; health	Alleged arbitrary arrest, detention, torture and public stigmatization of 26 men who were tried on charges related to their alleged sexual orientation.
<b>Egypt</b> <a href="#">JUA</a> , 17 April 2014	Arbitrary detention; Independence of judges and lawyers; Torture; Violence against women;	Four individuals, two of them identifying as male-to-female transgender, were arrested without a warrant at their apartment in Cairo.
<b>United States of America</b> <a href="#">JUA</a> , 19 Aug 2011	Migrants; torture; violence against women; health	Alleged torture and ill-treatment in immigration facilities. According to the information received, 16 gay and transgender individuals were held in various immigration detention facilities between May 2009 and July 2011. J.H. was reportedly sexually assaulted by two fellow detainees.
<b>Honduras</b> <a href="#">JUA</a> , 5 Jul 2011	Human rights defenders; torture	Alleged threat with a firearm. According to the information received, on June 8, 2011, Mr. Alex David Sánchez Álvarez, who is a very active member of the gay, lesbian, gay and transgender (LGBT) community, was on his way when a car passed by with tinted windows that was parked with the engine running.
<b>Mexico</b> <a href="#">JUA</a> , 11 Feb 2011	Freedom of expression; human rights defenders; torture; health	Alleged arrest of LGBT rights activist. According to information received, on December 4, 2010, Mr. José Ricardo Maldonado Arroyo, Director of the Network of Persons Affected by HIV (REPAVIH) based in Mérida, Yucatán, was arbitrarily detained by the judicial police of the State of Yucatán
<b>South Africa</b> <a href="#">JAL</a> , 14 Jan 2011	Freedom of opinion; human rights defenders; torture; violence against women	Alleged “corrective” rape of a lesbian woman.

JLA – Joint letter of allegation

JUA – Joint urgent appeal

AL – Allegation letter

---

<sup>1</sup> Although the mandate was established in 1985, this summary covers work reported from 2011 until December 2017.