

Q-CAT

QUAKER CONCERN FOR THE ABOLITION OF TORTURE

MARCH 2017

NEWSLETTER No.27

Charity No 1093757

Our vision is to end torture and complicity in torture, upholding our testimony to peace and equality and working towards healing through reconciliation.

Good News

MPs are talking about torture

On 2/3/17 there was a Westminster Debate in the House of Commons about UK policy on torture and the treatment of asylum claims. Introducing it, Tania Mathias MP spoke of the need to live up to the high standards the UK espouses but also to be more open and transparent about occasions when these standards have not been attained. Later she agreed with another speaker that "The present statements by the PM and Leader of the House do not match our historical cases."

One MP put the matter very clearly speaking of the right not to be tortured which is completely unqualified: there is no situation in which torture is ever tolerable. The reason we do not torture is not only moral but a selfish one: it leaves us more vulnerable and not better protected.

A number of MPs spoke of flaws in the system for processing the cases of asylum seekers who claim to have been tortured, and there was a call to the Minister for Immigration for more thorough training for caseworkers and for protection for them from becoming casehardened by the stresses of their job. There were also calls for more care to be taken not to return asylum seekers to countries where they may face further torture, a practice which is in any case illegal, and for getting more decisions right the first time rather than at appeal.

The full debate is available online at <https://hansard.parliament.uk/commons/2017-03-02/debates/7E90367A-397A-4030-B2AC-8B2E84D5C25B/TortureAndTheTreatmentOfAsylumClaims>

Government Officials are to be held to account

The Guardian reported on 18/1/17 the supreme court ruling that the former foreign secretary Jack Straw, MI6 and the government will have to defend claims that they participated in the kidnapping of a Libyan dissident Abdel Hakim Belhaj and his pregnant wife. Belhaj and another Libyan Sami al-Saadi were held in Libya for more than six years and say they were subjected to torture throughout their detention. Andrew Tyrie MP who chairs the all-party parliamentary group on extraordinary rendition is quoted as saying "the rulings take the public a step closer to the truth about Britain's role in extraordinary rendition, the programme of kidnap and torture developed during the Bush administration and facilitated by the UK government." He sees a risk now that "the new laws on secret hearings in the Justice and Security Act could thwart efforts to get to the truth, and undermine the ability of the courts to demonstrate that justice is being done."

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Yes, Torture Prevention Works

This is the title of a global study of 30 years of torture prevention, published by the Association for the Prevention of Torture in 2016 and summarised in a briefing paper on the APT website http://www.apr.ch/content/files_res/apr-briefing-paper_yes-torture-prevention-works.pdf . It looked at measures adopted in 14 countries, including the UK, and gives rise to a number of “insights”: prevention is needed everywhere and at all times; good laws are necessary but not sufficient; effective safeguards from the outset of deprivation of liberty are crucial; all forms of unofficial detention must be eliminated; moving away from confession-based systems reduces the risk of torture; law enforcement practices and culture need comprehensive review and reform; a culture of impunity sustains the practice of torture; and independent monitoring of detention is instrumental in preventing torture.

A holistic approach is illustrated by a “house of prevention”. The foundation is an adequate legal framework in a society which rejects torture; the walls are training, investigations, prosecutions and sanctions including review and reform of the law enforcement institutions; the roof is monitoring of the legal framework and its implementation and independent visits to places of detention.

The paper finishes by saying that torture prevention is a shared concern. Although the main responsibility lies with the State, civil society organisations can help hold the State to account and the media’s contribution is important in influencing public opinion and addressing the fact that torture is accepted by a significant proportion of society in many countries of the world.

Mendez’s procedural points are taken forward

The former Special Rapporteur on Torture, Juan Mendez, put forward the idea of a universal protocol setting out minimum standards for non-coercive methods of interviewing and safeguards to protect detainees from torture and ill treatment. (see Newsletter no 23 for March 2016).

1. In his report to the Human Rights Council in February 2017 http://www.ohchr.org/Documents/Issues/Torture/A_HRC_34_54.pdf the new Special Rapporteur on Torture, Nils Melzer, has welcomed Juan Mendez’s proposals. These universal guidelines for investigative interviewing practices would identify a set of standards for non-coercive interviewing methods and procedural safeguards that ought to be applied at a minimum to all interviews by law enforcement officials, military and intelligence personnel and other bodies with investigative mandates. Nils Melzer commits to contributing actively, in consultation and cooperation with others to further development of these guidelines.

He speaks also of the discrepancy between solemn declarations and commitments by States, and the reality of millions of victims of torture. Also of “the increasing tolerance of violent political narratives and popular beliefs that not only trivialise torture and other cruel, inhuman or degrading treatment or punishment but even promote and incite their use in the name of national security and the fight against terrorism.” His view is that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment may well constitute the most fundamental achievement of mankind, and any tolerance, complacency or acquiescence in such practices, however exceptional and well argued, will inevitably lead down a slippery slope towards complete arbitrariness and brute force, a disgrace for all of humanity.

2. On 27th January the Association for the Prevention of Torture, together with the Anti-Torture Initiative of the Washington College of Law organised a meeting with leading anti-torture experts to share national experiences and consider the best options to make the universal protocol a reality. Further consultations and discussion will follow.

http://www.apr.ch/en/news_on_prevention/torture-is-never-the-solution-a-protocol-for-humane-interrogations/#.WML443_vfqU

United Nations International Day in support of Victims of Torture

We are highlighting this early this year in case it might make it easier for you to make plans to mark this day in your meeting or wider, perhaps with a vigil or discussion meeting or a collection for Freedom from Torture or the UN Voluntary Fund for Victims of Torture mentioned below. It would also be a chance to remind people of Q-CAT's involvement on behalf of Britain Yearly Meeting. Although this day is primarily about people who have been tortured, Q-CAT is keen to emphasise that everyone involved is damaged: torturers and others involved in the torture session, e.g. doctors; those who give the orders and those higher up the chain of command who authorise it or collude in its use.

This day has been marked each year on **26th June** since 1998. Ban Ki-Moon, writing on the website last year (this year's statement is not yet available) said

"Around the world, in every region, men, women and children are still being tortured by non-State actors and under direct State policy. Despite its absolute prohibition under international law, this dehumanizing practice remains pervasive and, most disturbingly, is even gaining acceptance.

The law is crystal clear: torture can never be used at any time or under any circumstances, including during conflict or when national security is under threat. On this International Day in Support of Victims of Torture, we express our solidarity with and support for the hundreds of thousands of victims of torture and their family members throughout the world.

The Convention Against Torture, ratified to date by 159 UN State Parties, stipulates that States have to ensure that a victim of torture under their jurisdiction obtains redress, including the means for as full rehabilitation as is possible. When States neglect their obligation to prevent torture, and fail to provide torture victims with effective and prompt redress, compensation and appropriate forms of rehabilitation, the UN Voluntary Fund for Victims of Torture is a lifeline of last resort. Established by the UN General Assembly 35 years ago, the Fund supports hundreds of organizations that provide legal, social, psychological and medical assistance to some 50,000 victims every year."

Website www.un.org/en/events/torturevictimsday

Feeding the Darkness – shining a light on state sanctioned torture through story, poem and song

Do you live in the London area?

There will be a performance of this production by Journeyman Theatre at **Friends House on Monday 27th March at 6.30p.m.**

It takes the form of verbatim and 'faction' monologues, duologues and poetry as a series of 'ministries' which challenge our ignorance and avoidance of this subject. It features such wide-ranging material as the experiences of the mother of Private Lynddie England (court-marshalled for her role in the abuse of Abu Ghraib detainees), that of a Kurdish asylum seeker at an appeal tribunal, and the role of trained medical professionals in state-sanctioned torture, amongst many others.

It lasts 65 minutes and will be followed by a short discussion, finishing at about 8p.m. A hot drink will be available from 6 p.m.

If you haven't yet had a chance to see this, do try to be there.

Trustees' Meeting

Matters discussed at the meeting held on 6th March included among other items

- A short paper "Quaker perspectives on torture in the world" which will now be posted on the website
- Q-CAT's application to become a Linked Quaker Recognised Body which is being processed
- A plan to encourage Q-CAT supporters to join the QPSW protest at the Arms Fair (Defence and Security Equipment International) 12-15 September 2017 (more of this in the next Briefing and Newsletter).

Quakers and Torture: 10 questions to get us thinking

This workshop was held as part of the Friends in Wales meeting in Lampeter on 25th February.

It is planned to run it also at Yearly Meeting Gathering in the summer.

The next **Briefing** is due out in mid-April and the next **Newsletter** at the beginning of June.

To receive newsletters by email contact Jane Laxton
from.qcat@hotmail.com
and include your Local and Area Quaker Meetings if appropriate.

To receive newsletters by post please send your name and address to Jane Laxton, 79 Wellington Rd., New Brighton, Wirral CH45 2NE

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Signed.....

Dated.....