

# Q-CAT

## QUAKER CONCERN FOR THE ABOLITION OF TORTURE

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**“Torture is not just an abomination because it means inflicting deliberate suffering on a fellow human being; it is also a degradation of the humanity of those who carry out such barbarism. We cannot reach for a better world if we reduce ourselves to such acts of conscious cruelty.”**

Baroness Helena Kennedy QC

### In the News

The Guardian website has had several reports about torture over the last three months, at [www.theguardian.com/law/torture](http://www.theguardian.com/law/torture)

**Good news from a law suit in America:** On 17<sup>th</sup> August it reported that two survivors of torture at a US ‘black site’ in Afghanistan had successfully brought a case, which was settled out of court, against two American psychologists who designed the programme of abusive interrogation methods to which they were subjected. Suleiman Abdullah Salim and Mohamed Ben Saud filed the suit in October 2015 against James Mitchell and John Jessen who eventually acknowledged their role in developing “a programme for the CIA that contemplated the use of specific coercive methods to interrogate certain detainees”. A third man Gul Rahman died in custody after torture. Mitchell and Jessen said that the abuses happened without their knowledge and denied responsibility for the men’s ill treatment. Salim and Soud said they were pleased with the result because they had brought the case seeking accountability and to help ensure no one else has to endure torture and abuse. Public disclosure of what had been among the US Government’s most closely guarded secrets opened the way to the lawsuit.

### Bad news from UK...

23<sup>rd</sup> August: An emergency high court hearing, convened to examine the delay by the Home Secretary, Amber Rudd in releasing from immigration detention an asylum seeker who had been tortured in Libya, heard of the judge’s deep concern. The date for his release had been put back several times. The asylum seeker’s solicitor said that the Home Office needed to realise that deprivation of liberty is a serious abuse of fundamental rights, even more so when it involves a torture victim. She added that there have been such delays too often and the Home Office needs to act more competently and expeditiously when it comes to complying with orders of the court.

7<sup>th</sup> September: A high court judge had intervened to prevent a detainee, a survivor of torture in the Ivory Coast who claims he has been abused by G4S at Brook House, from being forcibly removed from the UK, while he pursues his threatened claim for damages. [There has also been a BBC Panorama programme about the levels of abuse suffered by detainees at Brook House.]  
contd...

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### **...and around the world**

The paper's website carried reports from a number of countries. **Sri Lanka** (14<sup>th</sup> July): Following a visit to the country by a UN special rapporteur he concluded that the use of torture had become routine, particularly against members of the Tamil community.

**Syria** (30<sup>th</sup> August) A feature article by Nicola Cutcher spoke of the horrors of detention and 'disappearances'. The UN has accused the Syrian government of the murder, rape, torture and extermination of detainees and tried unsuccessfully to get monitors into Syria but many Syrian groups feel the UN has been reduced to making statements and recommendations with little hope of enforcement.

**Egypt** (6<sup>th</sup> September) A Human Rights Watch report documented how security forces use torture to force suspects to confess, divulge information, or to punish them. It said the President, Abdel Fatah al-Sisi, had given police and national security officers a green light to use torture with impunity.

**Venezuela** (15<sup>th</sup> September paper copy) An eye-witness described the torture regime carried out in the Helicoide, a notorious prison in Caracas, in a report by Emma Graham-Harrison.

If anyone receiving this by post wishes for further details of matters referred to here, which they are unable to access by computer, please contact Jane Laxton, newsletter editor, address on page 1.

**Freedom from Torture** currently has an online campaign. It asks people to sign a letter asking their MP to call for an urgent inquiry into how the Home Office handles evidence of torture in asylum cases, so that people who have survived torture are not at risk of being sent back to persecution. For the background to this and to sign the letter see [www.freedomfromtorture.org](http://www.freedomfromtorture.org)

### **Q-CAT Activities**

#### ***Proving Torture*, talk by Dr Bernie Gregory of Freedom from Torture**

Bernie gave this talk twice on 7<sup>th</sup> July, in Colwyn Bay and then in Chester. Those present were appreciative of her explanation of the asylum application process and how her work fitted in to this: making medical assessments of the evidence of torture suffered by clients, particularly difficult in the case of psychological torture. These reports are used to back up claims to the Home Office. There were questions afterwards and a collection for Freedom from Torture raised £189.

#### **Q-CAT at Yearly Meeting gathering**

The Quakers and Torture: 10 Questions to get us thinking workshop was appreciated but poorly attended, possibly on account of the multiplicity of choices of sessions on offer. However the stall at the Groups Fair on two evening led to several useful conversations and a good number of people took or signed up to receive newsletters and briefings. We should aim to have a Q-CAT leaflet ready for next time and a more eye-catching display.

#### **Q-CAT at the protest against the Arms Fair**

Q-CAT supporters formed part of the Quaker presence at the No Faith in War Day protest by members of different faith groups on 5<sup>th</sup> September, in advance of the Defence and Security Equipment International Fair at the Excel Centre in London. The Q-CAT banner was prominent and others had placards with the message **UK must not sell tools for torture**. There was a good crowd, of Quakers, other Christian denominations, Muslims, Buddhist and Jews. All joined in the one hour of Quaker worship, while some were sitting down in the road and abseiling from a bridge to prevent lorries from arriving at the Excel centre. The police did their job respectfully, talking at length with those in the road before walking with them to the police van. There were several speeches from different groups emphasising abhorrence at the sale of arms to regimes which were known for contravening human rights laws. We can only hope the message got through to the organisers of the arms fair.

## Report of an important gathering on UN International Day in Support of Victims of Torture 26<sup>th</sup> June 2017

Jane Laxton

It was so interesting to hear and see by video the four distinguished speakers who joined the discussion hosted by the International Bar Association in London on 26<sup>th</sup> June, under the title **Anti-torture day: state of the world today – are we going into reverse?**: Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights, Baroness Helena Kennedy, human rights lawyer, Juan Mendez, former UN Special Rapporteur on Torture, and Beatrice Mtetwa, Zimbabwean human right lawyer.

I can only outline some of the main points of the discussion here and do recommend the video of the whole session, available at [www.ibanet.org/Human\\_Rights\\_Institute/Campaign-Support-Victims-Torture.aspx#Event](http://www.ibanet.org/Human_Rights_Institute/Campaign-Support-Victims-Torture.aspx#Event) (scroll down the page until you get to the picture of the speakers). It lasts about one and a half hours.

The discussion was preceded by a short UN film called 'From Horror to Healing' about the effects of torture on a number of people and how they were supported and helped by professionals; by turns grim and hopeful viewing.

**More support for torture** Before introducing the speakers, Dr Mark Allan of the IBA quoted Donald Trump's infamous statement "Torture absolutely works." and highlighted the shift in public attitudes, towards a growing acceptance of the use of torture. He referred to a recent survey by the American-based Pew Research Centre. The question asked of people from 36 countries was "Can government sponsored torture ever be justified as part of efforts to prevent terrorist attacks?". The mean positive response was 40%, with some regions higher (sub-Saharan Africa 55% and Middle East 45%) and some lower (Europe 36%, Latin America 25%). The US result was 58% and even that was less than 5 other countries. He posed the question "Can this trend be reversed?".

**Torture unreliable and wrong** The speakers were all adamant that information obtained under torture is unreliable: some of it may be true but it is impossible to disentangle. Juan Mendez put the point that the majority of good intelligence is obtained by building up rapport with suspects rather than extracting confessions brutally. The presumption of innocence must also be upheld. Helena Kennedy added that one of the reasons people are prepared to believe in the efficacy of torture is that they are afraid. She emphasised that even if it were effective it would still be wrong, degrading and dehumanising.

**No countries blameless** Zeid Ra'ad Al Hussein said that of the 162 countries which had signed up to the UN Convention on Torture there is not one which abides by absolutely all the terms. Some countries still do it systematically, others occasionally, a growing number repatriate people to countries where they may be in danger of torture and many countries are not providing proper rehabilitation for victims. He also spoke of the counter-productive nature of torture especially of innocent people whose family and community may become radicalised.

**Retreat from previous standards** After a number of questions were taken from the audience, for example about Syria, about domestic violence and about UK treatment of detainees, there followed an opportunity for each of the speakers to sum up. Helena Kennedy said that torture is one of the most important issues of the day. We are seeing a retreat from the standards that, before 9/11, we thought were being improved, and UK is part of that retreat for example in the talk of possibly leaving the European Convention on Human Rights. This problem of torture is not going away and needs to be constantly brought to public attention.

**Torture in Zimbabwe** Beatrice Mtetwa spoke of the accepted use of torture in Zimbabwe, impunity being the problem as torturers are rewarded and protected and torture is not seen as an offence. It is used for subjugation as well as for trying to extract information. She and others

have been working very hard to challenge this, and she thinks there is a slight improvement though pressure needs to be kept up to make sure victims get justice.

**Developing preventive mechanisms** Juan Mendez said that there are always some people in favour of torture, and there are others who think they are acting tough against terrorism if they favour it. We have good arguments why torture does not work and need to back these up with legal, moral and practical responses. He mentioned again the need for a universal protocol for investigative interviewing based on building rapport rather than extracting confessions. We have a very good framework against torture with clear obligations on the part of all states and need to strengthen the preventive mechanisms that are already included in this framework.

**Threats from overblown rhetoric** Zeid Ra'ad Al Hussein spoke of the prohibition of torture as the cornerstone of human rights law and the threat to this from speeches such as those of Donald Trump and the president of the Phillipines. But to offset that, his last message was that we who are against torture should not feel discouraged: never feel that a single voice can't make a positive difference.

**Working to reverse the backsliding** Two questions started this session: Are we going into reverse? and Can this trend (increased acceptance of torture) be reversed? The answer to the first seemed to be 'yes' and the answer to the second that we must all keep on working to make sure the answer is also 'yes'. Do watch the video if you can. I may have missed out something which would be important for you.

### Trustee matters

Among other items in progress: application to Meeting for Sufferings for Quaker Recognised Body Status; preparations for new leaflet, conference, booklet on torture, choral work.

### Addition to our website list of organisations concerned with torture and its victims:

**Redress** is a human rights organisation based in London which works internationally to combat torture by seeking justice and reparation for torture survivors. Among other work it currently has a new project to strengthen UK government support of its nationals arbitrarily detained abroad and at risk of torture and ill-treatment. Their web-site is at [www.redress.org](http://www.redress.org)

Are there any other organisations which are missing from our website list? Please let Jane Laxton know.

To receive newsletters by email contact Jane Laxton [from.qcat@hotmail.com](mailto: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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Dated.....