

Q-CAT

QUAKER CONCERN FOR THE ABOLITION OF TORTURE

SEPTEMBER 2020

NEWSLETTER No.41

Charity No 1093757

The Religious Society of Friends declares itself to be utterly opposed to the use of torture and determined to spare no effort to bring it to an end...
Hamilton Declaration 1976

Update: At home....

Overseas Operations (Service Personnel and Veterans) Bill

In the June Newsletter we outlined the developing opposition to this Bill, which would in effect create immunity for any acts of torture undertaken by UK personnel that took place more than five years ago. This was followed up on 27th June by contacting our emailing list with the text of a draft letter to be sent to MPs. Many thanks to those who sent this to their MP. There is still time if you didn't: it comes with this newsletter.

The second reading is not yet scheduled. Meanwhile the government Joint Committee on Human Rights called for comments on the Bill. Q-CAT responded at the beginning of September in considerable detail, highlighting the need for adherence to international law, the unacceptable suggestion of a 5-year cut-off-point for prosecution of members of the armed forces, the government's use of "vexatious", as in "vexatious claims", to make it sound as if the lawyers and law are a nuisance, and the necessity for accountability of those in authority. On the subject of responsibility for illegal behaviour we wrote:

Culpability before law remains. The question is, where does the culpability lie? In recent years individuals have been blamed and problems in systems and the chain of command not addressed. Those in authority, the systems and the chain of command should be held accountable for the setting conditions in which individuals function. Breaking the established rules of armed conflict, incidences of abuse have been shown to be associated with problems of organisation, and indicate an urgent need to accept review procedures. Examples are, not withdrawing troops before they have become morally disengaged or suffer from battle fatigue, teams becoming dislocated from others and so forming their own rules of engagement, poor training, poor leadership.

Q-CAT has also been in contact with the two Quaker MPs asking for their support for opposition to the Bill, and with John Healey, Labour Shadow Defence Secretary who had asked for material backing up his opposition. The Guardian online (25/8/20) had the headline "Labour calls for halt to bill shielding UK soldiers from prosecution", saying that John Healey had written to his counterpart Ben Wallace arguing the legislation undermines "the history and rules-based international order that Britain has sought to construct and maintain". By including torture and war crimes as offences that would be covered by effective amnesty, Healey said the legislation was at odds with the Geneva conventions covering humane behaviour in war and broke the UN convention against torture.

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...and overseas

Yemen – Human rights abuses by all sides (Guardian online 30/6/20)

A report by Mwatana, a leading Yemeni human rights group, was published in June. It documents 1605 cases of arbitrary detention, 770 cases of enforced disappearance, and 344 cases of torture, carried out by all of Yemen's warring parties, and a huge number of deaths in detention. Mwatana is calling particularly on all parties to release extra-judicial prisoners at risk of catching Covid-19 which is rampant in a country with a decimated health-care system.

China – Repression of Uighur people (Guardian online 4/9/20)

In an interview with the Guardian a Uighur teacher told of women aged 19 to 59 being forced to have intrauterine devices fitted or be sterilised, in a government campaign to suppress the birthrate of women from Muslim minorities. She also spoke of starvation rations, unsanitary and humiliating conditions in the detention camps, and of hearing tortured prisoners' screams.

Frequently Asked Questions

Do you have questions about torture: what Quakers should be doing about it, what you can be doing about it, does it work etc? Or maybe Friends have asked you questions you find hard to answer.

We are planning that our next Briefing, due out in mid-October, will take the form of Frequently Asked Questions and an attempt to answer them, hoping this will be useful to yourselves personally and as an aid when you are talking to other people.

It would be most helpful if you could send in your questions to John Cockcroft janbcockcroft@talktalk.net, by 17th September.

Feeding the Darkness: shining a light on state-sanctioned torture through story poem and song

Journeymen Theatre (Lynn and Dave Morris) have done many performances of this across the country. It has been seen by more than 1000 people in meeting houses, schools, colleges and theatres, and is a wonderful opportunity to get the anti-torture message across. It is likely that many of you will have seen it at some stage. As a new departure, during lock-down the production was filmed, and so it is now available free online at <https://vimeo.com/428488021>. If you have not yet seen it do try it here. Even if you have, it is well worth looking at again, and passing on the link to others you think might be interested. It runs for an hour. There is to be an updated version with extra titling of the sketches, but we do not have the link to that yet.

A Knock on the Door - a new work for amateur choirs

With Briefing No 64 in February we sent out an appeal leaflet telling people about the choral work commissioned by Q-CAT and asking for donations to cover up-front costs. This also went to all Quaker local meetings.

A good amount has already been received. If you and/or your meeting can add to this we would be most grateful. The appeal leaflet is available on our website www.q-cat.org.uk, under the heading Get Informed. Please let Jane Laxton (contact details on front page) know if you would like printed copies.

Draft letter to MPs on Overseas Operations Bill

Dear [your MP]

I am writing to you to express my extreme concern about **the Overseas Operations (Service Personnel and Veterans) Bill** which is shortly to have its second reading in Parliament. I urge you to vote against it when the time comes.

Due to the coronavirus, little attention has been given to this Bill in the press but it has already prompted Field Marshall the Lord Guthrie, former Chief of the Defence Staff to describe the Bill as the “de facto decriminalisation of torture”. The former Judge Advocate General has stated that the Bill could “bring the UK armed forces into disrepute”.

The Bill marks a departure not only from the UN Convention against Torture but also the Geneva Conventions which is simply unprecedented. Not only does it undermine the framework of international humanitarian law on the battlefield but it gives a green light to every despot and dictator around the world to follow suit. Can you imagine the relish which President Assad of Syria, for example, would introduce his own Statute of Limitations for torturers in Syria?

The former Attorney General, Dominic Grieve QC, stated that the Bill will “damage our international reputation as upholders of the Geneva Conventions”. He goes on to accuse the British Government of trying to “skew the legal system” and that the main beneficiary of the Bill is not so much the Armed Forces but the Government by shielding them from “what may be wholly deserving claims”. These are very strong words indeed.

I share the concerns of all the eminent commentators above and urge you speak out about the issue in Parliament. The UK Armed Forces are amongst the finest in the world. However, a professional army should meet the highest standards under international and domestic law at all times and should never fall below that standard. To deliberately try and “skew” these standards not only undermines the bedrock of international humanitarian law but demeans our Armed Forces at the same time.

I look forward with interest to seeing how you have voted.

Best wishes,

[Add your address so that the MP knows you are a constituent]