

Q-CAT

QUAKER CONCERN FOR THE ABOLITION OF TORTURE

MARCH 2021

NEWSLETTER No.43

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

Overseas Operations (Service Personnel and Veterans) Bill

This Bill, which we have referred to in several recent Newsletters, is now in the Committee Stage in the House of Lords. We were pleased that the following piece appeared in the News Section of *The Friend* for 29th January:

“Quakers lobby on controversial bill

Quaker lobbying was praised as the controversial Overseas Operations Bill was debated in the House of Lords last week. The bill passed through the Commons in November despite concerns raised by a number of peace and human rights campaigning groups.

George Foulkes, the Baron of Cummock, said he had been particularly impressed and moved [by representations] from the Quakers, Freedom from Torture and Survivors Speak Out.

He said, as the UK delegate for the Parliamentary Assembly of the Council of Europe, he was concerned about the power the bill grants to ministers to derogate from the European Court of Human Rights which, he said, 'seems like encouragement to do so...If we pass this bill in its current form, our position in the Parliamentary Assembly will be undermined, as the Quakers say in their submission to us'.

Quakers in Britain and Quaker Concern for the Abolition of Torture (Q-CAT) have been briefing peers against the bill, saying it will have 'a significant, negative impact on key values of truth, justice and peace in the UK and abroad'. The chief concerns are that the bill undermines international law; does not protect troops or civilians; is not needed to tackle repeat investigations against members of the armed forces who have served abroad; weakens the rule of law and decreases the accountability of governments and armed forces.

Contd.

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Quakers are again calling for the bill to be paused so the government can reconsider how best to protect armed forces personnel, civilians and wider society. If it cannot be paused, they say, it must at least be amended to remove its most serious threats to human rights, including the time limit on prosecutions.”

Covert Human Intelligence Sources (Criminal Conduct) Bill

This bill was also referred to in the December Newsletter, as “another worrying development in the trend towards lack of accountability for criminal acts, including torture”. In spite of objections, and rejection of suggested amendments, the bill has reached the final stages in the Lords, before Royal Assent.

Syrians convicted

The trial in Germany of two Syrians for war crimes relating to state torture in Syria, mentioned in our Newsletter June 2020, has resulted in the conviction of Eyad al-Gharib. The outcome for Anwar Raslan, tried for more serious charges, has yet to be announced. These two were small cogs in the wheels of Bashar al-Assad’s brutal regime and there is no obvious route towards accountability for those at the top. Syria is not party to the International Criminal Court and thus cannot be tried under its jurisdiction. As the Guardian put it in the on-line editorial of 25th February “As small as this step may seem, it was a vital one: the first conviction for the regime’s crimes... The determination of Syrian survivors and activists, as well as NGOs and other groups, along with the commitment of authorities in other countries and evidence-gathering through UN mechanisms, has ensured that the impunity of those in the regime has at last been broken. The principle of universal jurisdiction is laid out in the Geneva convention. But there is now a greater awareness of how to use it, and a willingness to do so in the case of Syria”.

“Detention” of asylum seekers – at home...

The condition of asylum seekers housed in the former army barracks at Penally in Wales and Napier Barracks in Kent has been the subject of a Freedom from Torture petition to the Government and a submission by them and 3 other groups to the Home Affairs Committee. The latter states that “The barracks have caused and continue to cause severe harm to residents. Given the deteriorating conditions in the Napier site (including mental health crises, the aftermath of the fire and arrests, locking COVID-19 positive residents in alongside other residents and without proper clinical care) there is a critical need to evacuate the barracks immediately, where in our view conditions breach Article 3 ECHR....The barracks are clearly inappropriate for particularly vulnerable people including survivors of torture and those who have been subjected to human trafficking or enslavement. People who have experienced such trauma are unlikely to regard an ex-military camp as a place of safety given that, as Doctors of the World evidence shows, it is likely to be a reminder of their previous experiences. Such an environment is highly likely to trigger a trauma response, and potentially retraumatisation, and lead to the deterioration of mental health and well-being”. ([Joint submission to Home Affairs Committee on use of barracks as asylum accommodation | Freedom from Torture](#))

...and abroad.

Are there echoes here of the conditions under which asylum seekers attempting to reach **Australia** by boat have been held in camps in Manus Island north of Papua New Guinea? This is eloquently documented in *No friend but the mountain* by Behrouz Boochani, a Kurdish asylum seeker, journalist and author, who was held there for several years and managed to send out the text in short bursts using a smuggled mobile phone. He uses a mixture of literary language and journalism to show the strategic use of starvation, thirst, insomnia, disease and emotional and psychological pressure as tools of torture. Priti Patel should read this book

An open letter from 118 psychologists to heads of government in **Europe** calls for a revision of European detention policy against refugees of which they say the psychological consequences are destructive for everyone. <https://thepsychologist.bps.org.uk/bring-end-inhuman-disregard>

We would welcome feedback on the Newsletters and Briefings. Are they useful and/or interesting to you? What else would you like us to cover? Please write to from.qcat@hotmail.com. The next Briefing is due in mid-April and the next Newsletter in June.