

# The International Conference on Torture

AI Index: ACT 40/05/97

Final Report

Edited by Anki Wetterhall

This is the final report of the International Conference on Torture which took place in Stockholm 4 - 6 October 1996, organized by Amnesty International and hosted by the Swedish Section. The conference gathered people from non-governmental organizations (NGOs), the United Nations and other intergovernmental organizations as well as individual experts in the field of human rights from all around the world.

A Plan of Action was adopted by the conference which calls on NGOs in every country to draw up comprehensive plans for the abolition of torture.

We hope that this report, including the Plan of Action, will be a helpful tool for all those working for the prevention of torture and will stimulate NGOs to enhance regional and international cooperation and elaborate national programs to prevent and abolish torture.

Stockholm in April 1997

Anki Wetterhall Anita Klum  
Conference Coordinator Secretary General  
Swedish Section

## **1. Introduction**

## **2. Aim and structure**

## **3. Opening plenary**

**3.1. Torture and ill-treatment of common criminals - summary of key note speech**  
by Sally Sealey

## **4. Working parties**

### **4.1. Working party 1 - International action**

4.1.1 Summary of the background paper by Claudine Haenni

4.1.2 Introduction to working party 1

4.1.3 Report from working party 1

### **4.2. Working party 2 - National action**

4.2.1 Summary of the background paper by Paul Hoffman

4.2.2 Introduction to working party 2

4.2.3 Report from working party 2

### **4.3. Working party 3 - The role of the police profession**

4.3.1 Summary of the background paper by Lars van Troost

4.3.2. Introduction to working party 3

4.3.3. Report from working party 3

### **4.4. Working party 4 - Public opinion and public awareness**

4.4.1 Summary of the background paper by Tajinder Singh

4.4.2 Introduction to working party 4

#### 4.4.3. Report from working party 4

### **5. The Plan of Action**

#### **Appendix 1: Developments in the fight against torture;**

Amnesty's previous campaigns  
Developments within IGOs

#### **Appendix 2: List of conference officers**

#### **Appendix 3: List of participants**

## **THE INTERNATIONAL CONFERENCE ON TORTURE IN STOCKHOLM IN OCTOBER 1996**

### **1. Introduction**

Torture is a grave violation of human rights. It is prohibited under national and international law and has been condemned by the United Nations General Assembly as an offence to human dignity. Yet, although there are different regional and international treaties for the prevention and abolition of torture which many governments are parties to, torture and cruel, inhuman and degrading treatment persists, daily and across the globe. Torture persists despite the enormous efforts of human rights organizations, activists and others during the last twenty years.

The experience shows that it is not enough to create new conventions and treaties and commit states to ratify them. The conventions have to be implemented by governments on a national level. Many governments have, however, so far failed to fulfil their obligations by not incorporating these treaties into domestic law.

Much has been accomplished in the fight against torture but, despite this, Amnesty International's research suggests that torture is as prevalent today as when the United Nations Convention against Torture and Cruel, Inhuman and Degrading Treatment or Punishment ("Convention against Torture"), was adopted in 1984.

Non-governmental organizations and other activists within the human rights field must play an important role if changes and improvements are to be carried out. New approaches in the fight against torture have to be developed and Amnesty International found that it was time to arrange a conference as a step forward in the fight against torture.

An International Conference on Torture was held in Stockholm 4-6 October 1996, organized by the Swedish Section of Amnesty International with support from the Amnesty International sections in the Netherlands, United Kingdom and USA. 120 delegates from 50 countries around the world attended this conference. Among the participants were representatives from the United Nations, the Council of Europe, and other inter-governmental organizations, individual lawyers and police officers as well as representatives from international and national non-governmental organizations (NGOs) and others engaged in the fight against torture. All the participants attended the conference in their private capacity. Around 30 participants from Amnesty International sections and the International Secretariat of Amnesty International were among the participants.

A call for human rights organizations around the world to renew the fight against torture by issuing national plans and strategies for the abolition and prevention of torture and ill-treatment was

adopted. "For too long, governments have failed to live up to their commitment to abolish torture", said Dick Oosting, the conference chairperson and former Amnesty International Deputy Secretary General. "It is time for human rights workers everywhere to join forces to step up the fight against torture and hold governments accountable".

The Plan of Action against Torture, adopted by the conference, calls on NGOs to initiate a system of vigilance so that any incidence of torture could be revealed and acted upon immediately. The plan highlights the need for legal reforms, national and international inspection visits to places of detention and an end to impunity for the perpetrators of torture. Special attention at the conference was given to vulnerable groups such as ethnic minorities and criminal suspects. Another issue given special attention at the conference was sexual abuse by state agents, which should be opposed wherever it occurs.

The report provides a brief account of the aim and structure of the conference, summaries of the main speeches and background papers, brief descriptions of the four working parties and edited versions of these reports followed by the "Plan of Action". Appendix 1 includes a summary of developments in the fight against torture since the early 1970s with information about Amnesty International's previous campaigns against torture and a brief description of international and regional treaties concerning the prevention of torture. Appendix 2 contains a list of conference officers and appendix 3 a list of participants.

The conference was well covered by the international media such as the AFP, Agence France Presse, BBC World Service, ARD, Allgemeiner Rundfunk, WDR, West-Deutscher Rundfunk, La Republica, El Pais, Le Monde, Reuters, Associated Press, Helsingin Sanomat, Cape Times, Radio France, RAI, Radio Diffuzione Alianza Italia, Press Trust of India, Radio South Africa International and Radio Australia International. It was also covered by the national media in Sweden.

This report has been edited by Anki Wetterhall, the conference coordinator.

## 2. Aim and structure of the conference

### 2.1. Aim of the conference

The main aim of the International Conference on Torture was to identify and develop recommendations on how to abolish and prevent torture in practice. Non-governmental organizations and other human rights activists around the world must strengthen their work to prevent torture on both the international and national levels.

Torture had earlier been seen primarily as a feature of political repression, with prisoners of conscience and other political prisoners as victims. Amnesty International as well as other human rights organizations have, however, in recent times paid increasing attention to the torture and ill-treatment of members of socially disadvantaged groups including common criminal suspects, immigrants, members of racial and ethnic minorities, and refugees and asylum-seekers. These people are often poor and lack sufficient means or knowledge to defend themselves. It is therefore important to uphold the notion that human rights apply to each and everyone. Thus, the conference paid special attention to this group of "non-political" detainees.

Another aspect of torture which was targeted for special attention during the conference was the issue of rape and sexual abuse. Sexual torture affects a person's privacy. It is surrounded by cultural attitudes and taboos which differ from one society to another. To be a victim of sexual abuse may affect the victim's personality and social life. There is a need to address rape and sexual abuse of both female and male prisoners and consider this a form of torture or ill-treatment.

### 2.2. Structure of the conference

Most of the conference time was devoted to discussions in four working parties, each addressing a particular issue relating to torture:

1. International action - what opportunities exist within the United Nations and regional intergovernmental organizations and how could these be made to function more effectively to prevent torture?

2. National action - what kinds of special measures could NGOs, human rights activists, lawyers and others operating on the national level introduce to induce governments to implement the measures which they have agreed to take for the prevention of torture?

3. The role of the police profession - what kinds of special measures need to be taken by the police for the prevention of torture?

4. Public opinion and public awareness - what could be done to ensure that the public, including members of key professional sectors, oppose the use of torture and ill-treatment, not only of political prisoners but also of socially vulnerable groups such as racial and ethnic minorities and common criminal suspects?

### 3. Opening plenary session

At the opening plenary session of the conference on Friday 4 October, Anita Klum, the Secretary General of the Swedish Section of Amnesty International, welcomed the participants by recalling the 23 August, 1968 when Amnesty International organized its first international conference on torture in Stockholm. Then, in 1968, one of the speakers was Albie Sachs from South Africa, a strong and open opponent to apartheid. He spoke about the torture he had endured at the hands of the security forces. Later he was severely hurt by a bomb. Anita Klum said that even though there has been considerable progress and changes in the international community, the theme for the conference held in 1968 is just as relevant today, almost thirty years later.

She welcomed a special guest, Mr. Ali Bourequat from Morocco who has spent 18 years in different prisons, 11 of them in isolation and complete darkness in the prison of Tazmamart, a prison unknown to the world until 1991. Referring to Mr. Bourequat's conditions in prison, she said: "We cannot tolerate these abuses that take place all over the world, every day. We cannot tolerate that people get beaten up by the police, we cannot tolerate prison conditions so poor that prisoners starve themselves - the only means they have left to protest - we cannot tolerate that female prisoners get harassed, abused and raped. We all share the great responsibility to watch over and see to it that the international community reacts and takes action to abolish torture and all other kinds of inhuman and degrading treatment."

Torture includes a wide spectrum of abuses. The conference will, however, she explained, only concentrate on certain issues and leave other aspects aside such as corporal punishment and the death penalty. She concluded by saying that it is necessary to raise the political will of governments in order to put an end to the use of torture and other abuses of human rights.

Anki Wetterhall, the conference coordinator, welcomed all the participants and introduced the aim and structure of the conference and Eric Prokosch from the International Secretariat of Amnesty International gave a presentation of Amnesty's previous and future work on torture.

#### 3.1. Torture and ill-treatment of criminal suspects - keynote speech by Sally Sealey

Mrs. Sally Sealey, a human rights defender and a former detainee from South Africa, gave the keynote speech. She pointed out the importance of highlighting the cruel, inhuman and degrading treatment of criminal suspects. She meant that this category of people had until recently been overlooked both by the authorities and by NGOs. She gave a lot of examples of cases in South Africa where the police had abused socially vulnerable groups. The problem is that the general public, politicians and also, to some extent human rights organizations, do not see the torture of criminal suspects or vulnerable groups as a priority issue particularly in a society with a high rate of crime, such as South Africa. In many instances, society as a whole believes that the torture of criminal suspects is acceptable.

Sally Sealey mentioned that a number of cases of torture or grave ill-treatment in South Africa was unreported. People who had been tortured are expected to report this for investigation to relevant authorities. However, there is a general mistrust and sometimes fear of the South African Police Service.

Most South Africans are not aware of the possible, but limited, channels available to lay charges. Since 1991 there is a body of complaint in South Africa, the Police Reporting Office which is an institution filled by independent lawyers. However, this body is not well-known to the public.

People are also aware that reporting cases of torture against members of the police force can have serious consequences. Sally Sealey gave many examples of cases where arrested persons, who had reported against policemen, had been exposed to further torture. For example, a South African non-governmental organization, the Independent Board of Inquiry, made an investigation of police torture and extrajudicial killings in Khutsong, a township near Johannesburg. As a result more than 10 people were arrested and/or charged in a court of law after they had given evidence against policemen or generally assisted the investigation.

Another aspect of the limited amount of reported cases is that the majority of torture victims have no resources. They have no access to attorneys or to human rights organizations and, depending on their non-existence knowledge of their human rights, many victims often believe that members of the police service have the right to assault or torture. In many areas, such as Soweto, there are no human rights organizations at all to assist them.

Failure to report cases of torture can also be attributed to the way survivors are treated in court. The South African experience shows that torture victims and witnesses of torture are often treated as perpetrators, as state prosecutors tend to rely more on the police.

Referring to Ms. Sealey, the action taken by the police need to be seen in the context of the hysteria surrounding the increase of crimes and the pressure placed on the police to produce results. Investigations conducted by the police in South Africa are confession-based and this gives opportunities for abuse. According to recent changes in the law, the State has now to show that the confession was made voluntarily. However, there is a tendency that judges and magistrates rather believe representatives of the police than criminal suspects.

Ms. Sealey gave examples of different methods of torture and places where torture usually takes place, such as detective's offices, in the victims' own homes, fields, graveyards and in some cases in buildings specially reserved for this purpose. As torture takes place in so many places outside the police stations, specific powers should be granted to civilian inspectors so that they can visit detainees wherever they are held. It should also be illegal for police to conduct interrogation anywhere else but at a designated police station.

What is the purpose of torture?

Ms. Sealey mentioned four purposes for which torture is used:

- to elicit information from suspects
- to break down individuals physically and psychologically
- to instil fear in communities and social groups
- to punish individuals

In her conclusions, Ms Sealey gave some advice on how to prevent torture:

1. All countries need to ratify the United Nations Convention on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
2. Governments must ensure that torture is a criminal offence
3. All police personnel must be subjected to review based on complaints of torture.

4. Oblige state officials to report torture to appropriate authorities.
5. Address the problem of police reliance upon confession-based investigations. All statements, interrogation sessions or the process of making confessions to the police should be video recorded.
6. Sworn statements should not be compulsory, but rather evidence statements should be confined to what is said under oath in court.
7. Investigations should not last for years and years.
8. There should be effective prosecution teams.
9. Introduction of a system of legal aid or watching briefs for victims of torture who are involved in criminal procedures against the perpetrators as well as civil suits.

Ms. Sealey said finally that the occurrence of torture has no impact on the crime rate but it is precisely that argument which is used to defend the use of torture. It is most important for human rights organizations not to differentiate between the torture of criminal suspects and of political detainees. Torture is not acceptable in any case whatsoever.

## 4. Working parties

### Introduction

The conference participants joined one of four working parties, each the subject of one of the following themes:

1. International action
2. National action
3. The role of the police profession
4. Public opinion and public awareness

The working parties were asked to formulate recommendations which would form the basis for the Plan of Action. This chapter brings together the reports from the different working parties written by the respective rapporteurs and edited by Anki Wetterhall.

At the closing plenary session on Sunday 6 October, the rapporteurs of the four working parties presented their reports. A draft text of Plan of Action, summarising the recommendations from the working parties, was introduced, followed by an intensive debate. The plan of Action was adopted by the conference. This draft text of the Plan of Action had been prepared by a small drafting group including the chairperson of the conference.

### 4.1. Working party 1 - International action

The theme for this working party was to find how the various mechanisms set up by the United Nations and other intergovernmental organizations could be used in a more effective way. A paper, produced for this working party by the APT, Association for the Prevention of Torture, focuses on what international NGOs could do on an international and a national level.

#### 4.1.1. Summary of the background paper: "The Prevention of Torture: NGO Action on an International and National Level", by Claudine Haenni and Isabel Ricupero, APT.

Once a violation already has taken place, existing human rights instruments intervene. One exception is the European Convention for the Prevention of Torture, whose system of visits to places of detention by a committee of experts has a preventive purpose. This paper focuses on measures which can be taken to prevent torture from occurring and outlines possible activities for international NGOs visavis inter-governmental organizations, IGOs, and on a national level.

#### What can international NGOs do visavis IGOs?

Within the framework of the prevention of torture there are many possibilities for non-governmental organizations to have an influence in various ways on the United Nations, UN, and other inter-governmental organizations. NGOs can participate in meetings and make public statements, take an active part in debates, supply information as a complement to governmental

information, or file complaints about torture.

There are, however, differences in the way NGOs are permitted to participate in the various IGOs. Within the UN system certain NGOs are given consultative status which gives them permission to participate in debates concerning specific situations and in the drafting of new instruments. The Organization of American States, OAS, on the contrary, does not give NGOs observer status and allows NGOs only to a limited degree to participate in the drafting of human rights instruments.

Even within the UN system there are discrepancies. The UN Committee against Torture accepts NGO reports as complementary information but NGOs can only act as observers and not take part in the discussions. The UN Committee on the Right of the Child in contrast, allows NGOs to be active in the discussions and also to give testimonies.

The regional IGO system also contains varying degrees of NGO participation. Within the European system for example, only the victims or his representative can file a complaint while in the Interamerican system individual petitions can be presented by both individuals and organizations.

The authors of this document advise international NGOs to lobby for a broader access to IGOs and take an active part in the work of IGOs.

NGOs could play an important role in the creation of new conventions and other treaties. They could take an active part in the drafting of such instruments. One well-known example is the UN Convention against Torture, which was a result of Amnesty International's Campaign Against Torture. New instruments under consideration are the UN draft Optional Protocol to the UN Convention against Torture and the Statute for a Permanent International Criminal Court as well as a draft Convention against Enforced Disappearances.

Existing conventions and treaties are usually general in nature and the interpretation of them is often very restrictive. One of the most important functions of the treaty bodies such as the UN Human Rights Committee, is to interpret these norms either more generally or in concrete cases. An important task for NGOs is to work for concrete and progressive interpretation of existing norms and their implementation by submitting legal opinions to the various human rights treaty bodies. NGOs should also work for universal recognition of decisions which guarantee greater protection.

The interpretation of norms can vary which the following example shows. Two suspected terrorists in Switzerland were kept in solitary confinement under severe sensory deprivation. The two detainees were not removed from their solitary confinement until after a period of two months. However, the European Commission for Human Rights did not find any violation of the provision of the European Convention. This interpretation might be considered restrictive in contrast to the Human Rights Committees which in its General Comments No 20. of 1992 declared that "prolonged solitary confinement" may violate the prohibition against torture.

NGO activities on a national level.

It is important that international NGOs co-operate more with national NGOs concerning their activities visavis IGOs. International NGOs are providing IGOs with information about certain countries; how the states fulfil their treaty obligations, about violation of human rights etc. Additional background information about the situation in the country should be received from national NGOs. International NGOs could function as a clearing house by gathering information about different states from national NGOs and pass it on to relevant IGOs.

International NGOs should also share their know-how with national NGOs for example on how to present individual cases or reports to the various international bodies. International NGOs should also submit information on international findings about a country to national NGOs. If so, national NGOs could work for these findings to be invoked in the national legal system.

NGOs, both international and national ones, should lobby systematically for the ratification of the

various international and regional human rights treaties and also remind states of their obligations. This implies that the treaties should be implemented into national legislation.

The authors give examples of obligations of the UN Convention against Torture which, in many cases, have not been fully implemented in national legislation:

Article 4, which ensures that acts of torture are offences under criminal law;

Article 14 which ensures redress and fair and adequate compensation specifically for victims of torture;

Article 10 which ensures appropriate education regarding the prohibition against torture for law enforcement personnel, medical personnel and other persons involved in the detention of a person.

The authors also take up the question of measures which constitute state obligations. The obligation to prevent torture is in article 2.1 of the Convention against Torture very general: "Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction".

However, the UN Human Rights Committee has established a detailed list of measures and safeguards, which the Committee against Torture normally inquires governments about before the Committee presents its periodic country reports. Examples of such questions are a detainee's right to consult a lawyer, the right to be informed of one's rights in a language one understands, the existence of a log- book in each police station which records every action that takes place during custody, the existence of a code of conduct for the police during interrogation and the existence of formal or informal control mechanisms such as independent complaint bodies and visits of detention. NGOs could create or improve a system of monitoring under which it becomes more difficult for human rights violations to occur.

Finally, a discussion about the burden of proof in cases of torture is taken up in this paper. In many cases the victim of torture is kept in isolation until signs of torture have disappeared or methods of torture are used which do not leave any physical marks. Torture is thus very difficult to prove. One approach could be that the victim would not need to prove that she or he has been tortured. If it, in an alleged case of torture, can be proved that the above-mentioned safeguards have not been implemented, it would be enough to shift the burden of proof to the government. This approach has both advantages and disadvantages but it is interesting in the way that non-implementation of certain safeguards could give rise to the presumption of torture and could thus become a deterrent factor for states.

#### 4.1.2. Introduction to working party 1.

The aim of this working party was to focus on the opportunities that exist in the context of the international instruments against torture adopted by the United Nations and regional intergovernmental organizations, (IGOs). The key issues were to examine existing international and regional instruments in practical terms. An important issue in this context was the role of NGOs and how NGOs effectively could use the international instruments and mechanisms for their work against torture.

One topic for discussion was how to strengthen NGO impact on IGO bodies and instruments. How can the exchange of information be more of a two-way street? How can NGOs receive information about findings by IGO bodies and instruments and how to use it? How can NGOs encourage the different bodies to work more effectively?

Issues relating to ratification of treaties were also considered by this working party, such as how states can be encouraged to ratify human rights treaties without reservations and how states can be encouraged to ratify the UN Convention against Torture and be prevailed upon to make declarations



under articles 21 and 22, recognizing the competence of the UN Committee against Torture to receive interstate and individual complaints?

The subjects of the draft Optional Protocol to the Convention against Torture and universal jurisdiction were on the agenda. The Optional Protocol contains provisions for inspection of any places of detention. How can NGOs contribute to the development of a strong Optional Protocol and for the creation of a Sub-committee to carry out these visits of places of detention?

Which are the obligations involved in universal jurisdiction related to torture, in customary law, in treaty law and in general principles of law? To what extent is there a duty to bring perpetrators to justice or to extradite them to another state?

#### 4.1.3 Report from working party 1.

The main themes of interest were divided into four groups

- NGOs and international actions
- Impunity
- International standards and mechanisms
- Field presence

Main conclusions and recommendations:

The main conclusion of Working Party 1 was that visits to places of detention are an important way to prevent torture and other forms of ill-treatment.

This also led to a second major conclusion that an increased presence in the field (country or region) on the part of the UN and regional intergovernmental bodies is and should be conducive to the prevention or stopping of torture.

The third main conclusion was that with the achievements made in adopting international standards against torture, emphasis today should be placed on their implementation. Implementation should be understood in a broad sense. It can mean the promotion of implementation mechanisms (such as the draft Optional Protocol to the United Nations Convention against Torture), the proposed international criminal court or increased promotion of the implementation of recommendations made by IGO bodies.

#### Recommendations

NGOs and international action:

Access to international mechanisms

1. Information was identified as a fundamental problem, extending throughout the IGO system. NGOs should receive systematic information regularly. NGOs should coordinate their efforts in receiving information from the UN and other IGOs more systematically.

2. Country reports, conclusions and recommendations of the committees, working groups, Special Rapporteurs and other IGO mechanisms should be made available in the relevant countries. Texts of international standards and instruments should be made available at affordable prices and in the relevant languages. NGOs should invite states and UN Department of Public Information to cooperate more closely such as exchanging information. Increased use should be made of the Internet.

3. The UN Human Rights Centre should have a thematic and country database of NGOs: this would encourage greater consultation of NGOs, enable information to be disseminated more easily and continuously. International NGOs can help with the identification of NGOs for the database. Considerations of security and confidentiality should be taken into account

4. NGOs should attend the meetings of the UN Human Rights Committee and the UN Committee against Torture and should publicise the two committees' recommendations and conclusions within

their countries. They should encourage the UN's different bodies such as the UN Human Rights Committee and the UN Committee against Torture to make greater use of NGO knowledge. Changes in the agenda of the committees should be communicated to NGOs as early as possible.

5. NGOs and the UN Centre for Human Rights should cooperate in systematically informing international and national NGOs as to which states will be appearing before the UN Human Rights Committee and the Committee Against Torture. NGOs should co-operate in assuring that NGO input is given to the Human Rights Committee and the Committee Against Torture.

6. NGOs should encourage IGOs to simplify their procedures in order to facilitate access by NGOs.

7. NGOs should be more involved in lobbying around the selection of experts from their country including those appointed to the UN Human Rights Committee, the Committee against Torture, UN working groups, and those appointed as Special Rapporteurs. NGOs, especially at the national level, should seek ways of encouraging the relevant authorities to nominate as experts to IGO human rights bodies and mechanisms, in particular those responsible for combatting torture, persons genuinely qualified to carry out their tasks with commitment, competence, impartiality and independence. They should push for greater representation of women as experts on the treaty bodies and other international mechanisms related to torture.

8. Local NGOs should have a more significant impact in different UN and other IGO field missions and operations. For example, information should be exchanged on a systematic and institutional basis.

#### Education and Training

9. IGOs should identify training needs, in consultation with local NGOs, and give greater emphasis to these needs both in IGO operations worldwide and in co-operation with universities, bar associations, human rights centres, individual experts and other training institutions. Training should be practically oriented and aimed at the empowerment of NGOs to enable them to fully utilise regional and UN mechanisms, and to prepare submissions according to the required formats. Emphasis should be placed on NGOs dealing with gender issues and with vulnerable groups.

#### Ratification of international instruments and implementation of international standards

10. International and national NGOs should join forces in lobbying for the ratification and implementation of international treaties providing protection against torture, as well as towards the withdrawal of reservations made by states parties. The strategy should be determined jointly by the national and the international NGOs. This would include strategic and targeted lobbying, awareness-raising, publicity through the news, media and legal reform. The exchange of know-how can be mutually profitable.

11.

NGOs should support and participate in efforts aimed at improved follow-up by governments and international organizations, including within the UN itself, of decisions and recommendations made by the UN Commission on Human Rights and the UN human rights treaty monitoring bodies.

#### Human rights and aid

12. NGOs should support the recently instituted process to take human rights standards into account in the projects of the World Bank and other institutions.

13. NGOs should urge governments to take human rights into consideration in formulating bilateral cooperation projects with other governments .

#### Impunity

14. The concept of impunity should be understood to involve the following minimum criteria:

No political will or adequate legal framework

- to clarify facts by means of an exhaustive and impartial investigation
- to determine responsibility
- to submit to due process
- to impose punishment commensurate with the gravity of the offence
- to provide reparation

Universal criminal jurisdiction

15. A separate and specific crime of torture should be provided for in national law. Its definition should not be narrower than the one in the UN Convention against Torture. Further, all national legislation or state reservations to the Convention against Torture containing a narrower definition should be repealed. (This is required, inter alia, for the purpose of implementing universal criminal jurisdiction in torture cases)

16. NGOs should develop campaigning strategies (and support IGO mechanisms) in order to achieve full implementation, both at a legislative and procedural level, of the UN Convention against Torture provisions on universal jurisdiction, including removing the political obstacles preventing full implementation. States should be required to include adequate specific information on this point in their reports to the Committee against Torture, and other relevant treaty bodies. NGOs should campaign for all states to pass legislation requiring the judicial, police and other authorities to co-operate with the International Criminal Tribunals for Rwanda and the former Yugoslavia.

17. Investigation and prosecution in torture cases should not be circumvented by any national measures such as amnesty before sentence, without prejudice to the right of individuals to seek pardon after sentence has been handed down. No prescription or statutory time limitation shall apply in torture cases.

18. NGOs working on subjects linked to the work of the International Criminal Tribunals for Rwanda and the former Yugoslavia should consult more closely with various instances within the Tribunals in order to ensure the complementarity of their respective roles.

Reparation

19. For the purposes of state reparation for torture the burden of proof should lie with the state concerned, unless it can be proved that all internationally recognized safeguards have been respected during pre-trial detention.

20. In order to fully implement the right to reparation for violations of human rights, the provision in Article 14 of the UN Convention against Torture should be understood as obliging governments themselves to provide reparation to torture victims. States should make provision for civil remedies for torture victims on a universal basis when such remedies are not available in the State where the torture took place.

21. In the context of individual complaints procedures (such as those provided under Article 22 of the Convention against Torture) there should be a presumption that local remedies are exhausted when minimum standards of due process are not being observed.

International Criminal Court

22. NGOs should work together to campaign for a just, fair and effective permanent international criminal court to be established by 1998, in which the prosecutor is able to initiate prosecutions based on information received from any source - including NGOs. In carrying out such campaigning NGOs should mobilise other NGOs, legal and other professional groups and public opinion in general.

Prosecution of alleged torturers anywhere in the world

National and international NGOs should:

23. work for the creation of a system of coordination, which could involve agencies such as INTERPOL, NGOs in the relevant country and international NGOs in order to inform governments when an alleged torturer enters a country;
24. urge the relevant government to investigate and, if appropriate, arrest and prosecute or extradite the alleged torturer in the exercise of universal jurisdiction;
25. international and domestic NGOs should pursue a joint strategy to lobby for greater use of indictments of alleged perpetrators of torture in third countries.

#### International Standards and Mechanisms

##### Early Warning Systems

26. NGOs should work for better use of information produced by NGOs and intergovernmental human rights bodies by UN bodies concerned with the peaceful settlement of disputes, peace-keeping, and economic and social development, and should promote links between such bodies and UN human rights mechanisms.

27. NGOs should make more submissions under Article 20 (calling for investigation into the systematic practice of torture) of the Convention against Torture as an early warning measure which can provide an indication that a particular country situation is deteriorating.

28. NGOs should work to persuade governments that when a country's violations of human rights figure in the reports of more than one of the intergovernmental human rights mechanisms, this should constitute a prima facie case both for a country resolution at the UN Commission on Human Rights and for the establishment of a country mechanism e.g. country Rapporteur, working group, or field office of the UN High Commissioner for Human Rights.

##### Women

29. NGOs should work to increase the awareness of women's human rights mechanisms and instruments, particularly those whose work or subject is related to torture such as the UN Special Rapporteur on Violence Against Women and the UN Declaration on the Elimination of violence against women, among NGOs, IGOs, states and within the UN system. They should also work to ensure that the UN's mechanisms concerned with torture, fully, effectively and sensitively address the torture of women, including rape and sexual abuse.

30. NGOs should support the on-going efforts for the drafting of an Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women which would create an individual complaints mechanism and investigation procedure that could be very important in dealing with such violations of the Convention as the torture of women. (General Recommendation No. 19 (II<sup>th</sup> Session, 1992) of the UN Committee on the Elimination of All Forms of Discrimination Against Women states that gender-based violence against women, including state violence and torture or ill-treatment, constitutes discrimination within the meaning of the Convention.)

##### Definition of Torture

31. NGOs should urge the UN Committee against Torture to take the earliest opportunity to make clear that corporal punishments constitute cruel, inhuman or degrading punishments in violation of the Convention against Torture, and that corporal punishments under certain circumstances may fall within the definition of torture found in Article 1 of the Convention, as they do not fall within the exclusion for "lawful sanctions" since they are not internationally lawful sanctions.

##### Erosion of Standards

32. NGOs should create a network to respond urgently and jointly to the IGOs concerned regarding regressive interpretations of standards or to the entering of reservations which violate the object and purpose of human rights treaties related to torture.

##### UN Committee against Torture

33. NGOs should support the empowering of the UN Committee against Torture to meet for as much time as is necessary to properly complete its work.

34. The Committee against Torture should publicly explain the meaning of "torture is being systematically practised" which is the condition for undertaking investigations under Article 20 of the Convention against Torture. The Committee should, where appropriate, commence Article 20 investigations on its own initiative based on reliable information it receives.

35. a. NGOs should push for all States Parties to the Convention against Torture which have not done so to make a declaration under its Article 22 recognizing the competence of the Committee to receive and consider individual complaints.

b. NGOs should promote awareness of Article 22 in states which have made such a declaration, with a view to increasing the number and quality of submissions.

36. NGOs should urge the Committee against Torture to review its rules of procedure with regard to the consideration of Article 22 communications so as to make its methods as effective as possible, with a view to holding oral hearings.

Draft Optional Protocol to the Convention against Torture

37. NGOs should participate actively and in a coordinated way in the drafting of and lobbying for the Optional Protocol to the Convention against Torture providing for a global system of inspection visits to places of detention as a safeguard against torture.

38. NGOs should work, in particular, to ensure:

- that the Sub-Committee created under the Protocol to carry out inspection visits be adequately resourced;

- that the Sub-Committee be given the power to carry out missions to any state which has ratified the Protocol without having to seek further permission for each individual mission.

- that a strong Sub-Committee be chosen from among qualified persons in the relevant fields and that it may effectively undertake its work by having the assistance of experts on missions,

- that the Sub-Committee be given the power to plan and implement the most effective missions;

- that the Sub-Committee be granted unlimited access to all places of detention and to all detainees; the right to interview detainees in private; and the right to interview other persons who may provide useful information;

- that the Sub-Committee's report be published or a public statement be made in the event that a state refuses to co-operate or fails to improve the situation in light of the Sub-Committee's recommendations;

- that it be impossible to make reservations to the Protocol.

States which have expressed support for the Protocol should be strongly encouraged to pursue effective diplomatic initiatives to promote the Protocol.

Resources

39. NGOs should act to ensure that the United Nations give far greater budgetary priority to human rights as a proportion of the UN's overall program. In particular, NGOs should work to ensure that the machinery acting to combat torture, including the Committee against Torture and the Special Rapporteur on torture, which are relatively under-funded, receive a greater proportion of resources within the overall UN human rights program. NGOs are encouraged to undertake, or to promote the undertaking by governments of a study of possibilities for increasing funding for UN human

rights machinery.

Field presence -the presence of IGOs, NGOs and other bodies in a country or region.

40. One of the most effective means of preventing or stopping torture is to have the UN, other IGOs or NGOs present in a certain country or region. Regular visits to places of detention is a critical aspect of such "field presence" and all states should be subject to such international monitoring. Field presence reflects basic principles of transparency, accountability, and willingness to accept international verification. It complements other measures but in many situations is more immediate and potent in protecting victims from torture than less direct procedures. The International Committee of the Red Cross has a leading role in visiting places of detention, and other international monitoring should not undermine their important work.

41. There are a number of situations in which torture can be prevented or stopped by on-site international presence .

Examples of such situations are:

- Where a major UN peace-keeping or other field operation has been established;
- Where the UN Commission on Human Rights has appointed a country rapporteur;
- Where the UN High Commissioner for Human Rights sets up an office in a country or some other type of field presence;
- Where the State has ratified the Convention against Torture and particularly where the State has accepted the jurisdiction of the Committee against Torture under Article 20;
- Where the UN Special Rapporteur on torture may undertake an investigation.

In all such situations, non-governmental organizations should encourage on-site work, including visits to places of detention. There should be coordination among the human rights mechanisms and bodies or intergovernmental organizations which have a presence in the same country.

42. There are a number of guiding principles or minimum requirements for the establishment of any on-site presence to protect people from torture:

Complete freedom of movement and access to all places of detention, including those under military jurisdiction;

- Access to all areas within such places of detention;
- Possibility of making unannounced visits to all places of detention;
- The right to make regular return visits;
- The right to interview all detainees, witnesses, and others they select, under circumstances of confidentiality and without risk of reprisal against them;
- An undertaking by the government to investigate all cases raised by the field presence and to take appropriate action.

Persons, chosen for this monitoring work, should have adequate training and be deployed for a sufficient time to do effective work.

43. In the context of international peace-keeping operations, there should be a human rights component. That component should, among other tasks, train peace-keepers and civilian personnel about human rights in general and the prohibition of torture, in particular. Peace-keeping personnel should be able to recognise any practice that constitutes torture or other cruel, inhuman or degrading treatment and report incidents so that they are remedied. Understanding and preventing torture of women, including rape and sexual abuse, requires special attention. Peacekeepers should be encouraged to carry a portable reminder of fundamental human rights such as the right not to be subjected to torture

44. All country rapporteurs of the UN Commission on Human Rights as well as the UN Special Rapporteur on torture should be supported by field presence where torture is a significant feature of the human rights situation and where such monitoring is needed. The size and duration of the

presence may vary depending on the circumstances. If a special field presence is not established, the rapporteurs should, at least, be supported by existing UN offices in the country.

45.

Ways of funding NGOs to undertake a field presence and particularly to pursue regular visits to places of detention should be explored. One idea would be to create a UN voluntary fund to provide such support.

46.

The UN High Commissioner for Human Rights should explain the need for increased field presence by mechanisms of the Commission on Human Rights and obtain the necessary political and financial support. The High Commissioner should also visibly support the role of domestic NGOs and independent, national institutions to visit places of detention. In addition, the High Commissioner should bring together all relevant international agencies which have a field presence - such as the United Nations High Commissioner for Refugees, UNHCR, United Nations Development Programme, UNDP, International Labour Organization, ILO, United Nations Children's Fund, UNICEF, United Nations Development Fund for Women, UNIFEM, United Nations Relief and Works Agency for Palestine Refugees in the Near West, UNRWA and World Health Organization, WHO - to discuss how their field presence has contributed to ending torture.

47. Regional intergovernmental organizations should apply similar principles of field presence in their work against torture.

#### 4.2. Working party 2 - National action

Many states have failed to implement the international human rights treaties concerning the prevention of torture which they have ratified. If these treaties were implemented on a national level, torture and ill-treatment would indeed be virtually eliminated. Adequate requirements of interrogation procedure and monitoring mechanisms of investigation of police conduct are among the methods to prevent torture and ill-treatment.

Some examples from the United States of improvements concerning investigation procedures and the monitoring of the police and other law enforcement personnel are given below in a summary of a paper written to the conference by Paul Hoffman, a lawyer and member of Amnesty International in the United States.

##### 4.2.1. Summary of background paper "National Efforts to Eradicate Torture" by Paul Hoffman

In his paper Paul Hoffman gives examples of how official torture has been eliminated during the last 25 years in the US. There are still cases of ill-treatment especially of vulnerable groups such as common criminals and ethnic minorities, but many improvements have been made.

The use of torture to extract confessions was not uncommon in the United States 60 years ago. This was especially true for black criminal suspects in the south. In one death sentence case the Supreme Court found that the confession had been obtained under torture and stated forcefully that such methods violated the fundamental guarantees of Due Process in the US Constitution. However, notwithstanding this official condemnation, abuses of custodial interrogation by police officers, often referred to as the "third degree", were a common feature in American criminal justice practices well into the 1960s. The Supreme Court developed a jurisprudence in which confessions that were not "voluntary" were not admitted as evidence, but abusive interrogation practices continued to be commonplace throughout the United States.

#### Miranda warnings

The Supreme Court's landmark was the 1966 decision in the case of "Miranda v. Arizona". In this

decision, the Court candidly acknowledged the continued existence of the "third degree" in American police stations and detention facilities, but came up with certain basic requirements to ensure that the police officers did not engage in coercive interrogation practices associated with torture and ill-treatment. The requirements, often referred to as Miranda warnings, required police officers to inform criminal suspects of their rights in detention such as that he/she has the right to remain silent and has the right to the presence of an attorney at the interrogation. Failure to give these warnings and to abide by the substance of these rights led to the exclusion of any confession obtained from the suspect.

Although there has been public and political controversy regarding this decision and its implementation and interpreting, it has had a great impact. Law enforcement officials have changed their practices to conform to these basic requirements and the judiciary in the US continues to enforce these requirements. The result has been to eliminate an enormous amount of abusive police interrogation and to protect criminal suspects from torture and ill-treatment during the crucial early stages of detention.

The development of special safeguards to ensure that any statement used in a criminal proceeding is voluntary, is necessary to reduce the incentives for police officers to engage in abusive tactics in order to obtain confessions. These safeguards need not to be judicially-created. They may come out of the legislative process or by executive decision. The existence of these safeguards has led police officials to videotape interrogations and to engage in various steps to ensure that their interrogation practices cannot be questioned. This does not mean that violations do not occur, but it has greatly reduced the existence of torture and ill-treatment.

#### Safeguards during detention

The prison conditions in the United States have been improved because of the courts which interpreted the US Constitution towards more humane conditions for the prisoners. The vast majority of American prisons and jails have been under some form of judicial supervision in the last 30 years to safeguard prisoners' rights such as the rights to telephone an attorney, to correspond with the media, family or others, to have visits, and finally a right of "adequate, effective and meaningful" access to the courts. The prisoners may also seek redress for constitutional and other violations of their rights from the courts.

In his paper Paul Hoffman mentions that there are still problems such as difficulties for many prisoners, especially convicted prisoners to find attorneys willing to take prisoners' rights cases. These prisoners are often victims of physical abuse, and he states that "rooting out all forms of torture and ill-treatment against prisoners requires constant access to prisoners from the outside world and the ability of outside forces to examine and investigate allegations of torture and ill-treatment in a timely manner...".

In this context, Paul Hoffman gives an example from Los Angeles County Jail where a lawyers' association was given open access to all the detention facilities in the Los Angeles County Jail system to monitor the conditions. It is, however, impossible to monitor all prisons regularly although it would be very difficult for prison authorities to engage in any systematic forms of torture or ill-treatment under such a monitoring system.

#### Civil rights litigation as a tool against torture

An important tool against torture in the United States is the federal courts authorisation to bring a lawsuit whenever a person's, including a prisoner's, rights have been violated. A person who suffers torture or other forms of ill-treatment by any governmental official may sue for compensatory damages and punitive damages if the official has acted with intentional or reckless disregard for his or her rights.

One advantage of civil rights lawsuits in the United States is that they are undertaken by the person whose rights have been violated and their attorneys. If the victim prevails in the case the attorney's fees will be paid by the government. This system has played an enormous role in eliminating and



redressing civil rights violations, including physical abuse by police and prison officials.

In his paper Paul Hoffman also takes up lawsuits against torturers from other countries. There has been a development in the United States of laws allowing torturers who enter the United States to be sued by their victims for damages. Referring to the Alien Tort Statute he exemplifies a case in the federal court in New York in 1980 when this law could be used by the father and sister of a torture victim who had been tortured and killed in Paraguay to sue the torturer who was then living in New York City.

#### Criminal prosecutions against torturers

There are laws in nearly every state in the United States which enable prosecution of government officials involved in torture or ill-treatment. The use of criminal sanctions against law enforcement officials has, however, been a rare phenomenon in the United States. The jurisdiction has been reluctant to convict police officers accused of human rights violations during their duties. The threat of criminal penalties for abuses remains, however, as an important deterrent factor.

Paul Hoffman mentions eventually the "Code of Silence" which has a blocking effect in all disciplinary proceedings against law enforcement officials. This unofficial code operates to prevent law enforcement officials from reporting on abusive actions by their colleagues in the course of their duty. There is no easy answer how to get rid of this phenomenon but there should be criminal and civil sanctions for most forms that the "Code of Silence" takes and these must be enforced vigorously.

#### 4.2.2. Introduction to working party 2

The aim of this working party was to discuss what lawyers, human rights activists and others operating on the national level should do to induce governments to use, and incorporate into domestic law, the international and regional treaties to which they are parties. It is important that the fight against torture not be limited to its judicial aspects, and that various methods are used in an overall strategy to combat torture.

On the agenda for this working party was the development of practical steps which the authorities should take to prevent torture and ill-treatment. Such steps include introducing safeguards during detention, allowing access to prisoners from family members, lawyers and doctors, carrying out investigations of torture and ending the impunity of law enforcement personnel who commit human rights violations.

An important step towards stopping torture in a society is that the government officially condemns the use of torture in all cases. If the authorities do not give this clear message, the risk is that torture and ill-treatment will continue to take place. Remaining silent in the face of torture would be equivalent to condoning it as an acceptable practice.

How can the authorities be called upon to condemn torture? How can governments ensure that torture does not occur? What kinds of safeguards for arrest and interrogation are needed and can they be implemented. What is the role of NGOs in this matter? These were some of the issues which were discussed in this working party.

The group came up with many practical proposals for the ongoing work to prevent torture in a society. The main proposal was that national plans and strategies should be developed and the initiatives to carry these out should come from local NGOs.

#### 4.2.3. Report from Working party 2

##### Recommendations

##### Official condemnation

1. Official condemnation of torture by the highest government authorities can be effective. In each

instance it should be accompanied by a campaign to raise public awareness about torture - what it is, what it means, how to combat it and what steps should be taken by the authorities.

2. NGOs should put pressure on governments to ratify and implement international instruments for the protection of human rights. Efforts should be made to narrow the gap between ratification and implementation at the national level.

3. NGOs should work at the national level to build the political will to combat torture. Public opinion and its impact on governments must be taken into account. NGOs should undertake major efforts to raise public awareness about torture and to reduce the levels of acceptance which torture may have in different sectors, particularly concerning the torture of common criminal suspects.

#### Access to detainees

Efforts should be made to introduce legal reforms to establish:

4. - guarantees which ensure access to persons deprived of their liberty from the moment of arrest or detention;

5 - a system of accountability for personnel in charge of detention;

6 - a system of regular visits to places of detention. This system could be implemented on two levels: periodic visits to detention centres by official bodies (ombudsman, procurator for human rights, etc.) and visits by non-governmental monitoring bodies. The latter could consist of NGOs, representatives of religious bodies and representatives of civil society;

7. - a system which makes provisions for visits by judicial authorities and, in particular, a system of judicial control over the execution of punishments.

#### Guarantees to reduce the risk of torture during detention

Efforts should be made to bring about legal reforms aimed at establishing or guaranteeing:

8. - judicial supervision of places of detention and arrest;

9. - a system to identify authorities who carry out detentions and arrests;

10. - the greatest possible reduction of periods of incommunicado detention and detention by police;

11. - strict regulation of interrogation. The functions of detention and investigation should be separated so that the authorities responsible for detention are separated from those in charge of interrogation. The presence of a lawyer during interrogation is essential. When a female detainee is being interrogated, a female official should be present. Where a juvenile is being interrogated, he/she should be accompanied by his/her parents or closest relative;

12. - a system of medical safeguards;

13. - intervention from state inspectorates or similar agencies, obliging those authorities responsible for detention and arrest to report without delay of any such case;

14. - reforms concerning the evidence needed to prove rape and sexual abuse.

#### Torture as a specific offence under domestic law

15. - NGOs should work to incorporate a broad definition of torture and ill-treatment in the national criminal law. Torture and ill-treatment should be a separate offence, with penalties corresponding to the gravity of the crime. Efforts should be made to ensure that cases of torture are tried by civilian courts and are not treated as military crimes.

16. - Statements and confessions obtained in police custody without the presence of the detainee's lawyer should not be valid.

17. - Efforts should be made to ensure that the principle of due obedience may not be invoked under domestic law as grounds for exoneration from criminal responsibility, and that legislation include standards governing responsibility for both acts and omissions.

Administration of justice

NGOs should create and implement initiatives for the adoption of national reforms which:

18. - strengthen the independence of the judiciary;

19. - reform the police and security forces so as to introduce controls and sanctions for persons responsible for human rights violations;

20. - create investigative police forces, independent from the state security forces and, in particular, from the military forces, guaranteeing impartiality and competence in investigations;

21.

- create and promote independent bodies composed of human rights NGOs, associations of lawyers and doctors and political and religious figures who present torture cases;

22.

- introduce evidentiary reforms to facilitate proof of torture, not limiting such evidence to medical matters, and including psychological evidence which may serve to establish that the victim was tortured;

23.

- introduce monitoring reforms which help to prove rape and sexual abuse;

24.

- allow experts in forensic medicine to work independently, with the necessary technical support provided by the state. Medical reports submitted by NGOs and colleges of doctors and health specialists, should be accepted in investigations and judicial and administrative proceedings;

25.

- introduce criminal law reforms which allow victims and their families to participate in investigations and which enable human rights NGOs, on their own initiative, to take part, as civil parties, in criminal proceedings in torture cases;

26.

- introduce reforms which order the suspension from active duty of any state agent under investigation, either penally or administratively, for acts of torture or ill-treatment, for the duration of the investigation.

NGOs should also make efforts to:

27. - bring torturers before the courts to establish their criminal responsibility and their civil responsibility to provide redress;

28. - assist victims or their families to obtain redress from the state;
29. - use existing provisions in the Convention against Torture, in particular Articles 5, 6 and 7 concerning universal jurisdiction, to bring proceedings against torturers sent to other countries;
30. - coordinate their efforts to establish an international data bank of known torturers;
31. - conduct campaigns when known torturers are sent on diplomatic or study missions, so that they will not be admitted into the country to which they have been sent;
32. - create truth commissions to determine what has occurred in cases of torture and to inform and educate the public. These commissions should not replace judicial action;
33. - create national human rights commissions, composed of people from different sectors of society for the purpose, among other things, of monitoring and following up on their governments' compliance with their obligations under international human rights treaties and securing the incorporation of international standards in national law.

#### Armed opposition groups and torture

In different regions of the world, armed opposition groups practise torture. In some cases, torture is used as a weapon of war, to terrorise and thereby control the population.

Additional Protocol II to the Geneva Conventions of 1949, relating to internal armed conflicts, requires certain criteria for its application, such as responsible command and effective control of territory - criteria not always met by armed groups. Common Article 3 of the Geneva Conventions of 1949 provides a legal framework for addressing this situation. In some countries, however, there are political groups which practise torture but do not correspond to the notion of armed opposition groups. Their actions also must be addressed.

In all these cases, the priority of NGO action should be that the victim is defended, protected and assisted, regardless of who was the torturer.

It is difficult to determine the types of action which NGOs could develop with regard to the practice of torture by armed opposition groups. Sometimes it is difficult to find a reliable spokesperson for such groups. Public opinion could be an element of pressure to create the political will among such groups so that they agree to address these issues. However, little awareness-raising is taking place at this level. NGO cooperation or assistance, including training in humanitarian standards so that these groups stop torture, is a difficult matter because such action could be seen as a form of collaboration with the armed opposition.

34. - NGOs should make efforts to identify and establish an appropriate legal framework for making armed opposition groups accountable in cases of torture and ill-treatment.

35. - NGOs should create initiatives and strategies to stop torture by armed opposition groups, including dialogue, assistance and pressure of public opinion .

Cooperation and joint action between national and international NGOs with regard to the international mechanisms for human rights protection

36. - National and international NGOs should coordinate their actions with intergovernmental human rights bodies, particularly the Committee against Torture, and increase their capacity to submit and follow up on individual complaints of torture.

37. - NGOs should develop means of communications, drawing on existing technologies to inform public opinion and raise public awareness.

38. - National and international communications networks should be created to improve the capacity of NGOs for information and complaints.

39. - NGOs should promote the need to strengthen regional intergovernmental human rights systems and lobby for the creation of regional human rights courts to which victims can turn directly.

#### Rape and sexual abuse

The working party considered that rape and sexual abuse of both females and males is a form of torture or ill-treatment. Female rape victims who are socially stigmatised by the rape require special attention and assistance which should also include their families.

40. - NGOs should provide support and assistance to victims of rape and sexual abuse and, to that end, give specialised training to human rights activists.

41. - NGOs should carry out public awareness campaigns about rape and sexual abuse.

42. - NGOs should work to ensure that rape and sexual abuse are recognised as sufficient grounds for granting asylum.

#### 4.3. Working party 3 - The role of the police profession

The police have a professional responsibility in the prevention of torture and ill-treatment and have unique opportunity to contribute to the condemnation and eradication of torture and ill-treatment. However, with their far-reaching power over citizens, the police can also be the perpetrators. Lars van Troost focuses, in his conference paper "The Police against Torture: Prevention and Accountability", on the possibilities the police and individual police officers should take to prevent torture and refers to the accountability of the police.

##### 4.3.1. Summary of background paper "The Police against Torture: Prevention and Accountability" by Lars van Troost

Non-governmental organizations have been in touch with a network of trade unions, churches, womens' organizations, opinion leaders, medical and lawyers' associations and others in their work against torture. To raise the effectiveness of the fight against torture human rights organizations have to broaden their network to include officials such as police, prison personnel, prosecutors and judges. This paper focuses on the role of the police and what the police could do to prevent torture and ill-treatment and gives some advice concerning preventive measures which both the police, police organizations and NGOs could carry out.

The basis for the prevention of torture lays in human rights education and awareness and should be part of every police officers's formal education. The education should cover a wide range of aspects such as international and national standards as laid down in treaties and domestic laws and regulations, means and methods of policing, organization and management of the police, methods for monitoring police conduct and professional ethics.

Many police services in different parts of the world are now in transition which could imply a new role of the police, new relationship with the community and reorganization of police institutions. This could give NGOs and others involved in human rights a superb possibility to approach the police with a clear concept how the link between respect for human rights and professional police conduct enforce each other.

Lars van Troost points out that the national authorities should have the utmost responsibility to ensure that all police officers receive adequate training in human rights. Sometimes the authorities also ask human rights organizations for advice. Even though NGOs may have doubts to cooperate with the police at the same time as they are monitoring them, Lars van Troost advises NGOs to take

this challenge to have an influence on police training programs. His opinion is that human rights organizations can continue to be "watchdogs" of the police at the same time. He focuses, however, on some important points that NGOs should urge to ensure adequate training:

- training should be one step towards achieving greater accountability,
- target groups for training and goals need to be carefully identified,
- teaching materials should be practically oriented,
- follow-up must be integrated into the training program from the beginning,
- there must be continuous evaluation of the effectiveness of the program,
- officials should commit themselves to implementing human rights training as an essential part of their profession,
- the training program must be co-ordinated with other human rights activities in the institution and the community.

### Inspection

If family members, a doctor or a lawyer had access to the detainee, it would work as an effective measure to prevent torture or ill-treatment as well as if an independent body of inspection could be established on a national level such as an "ombudsman".

Lars van Troost mentioned the importance of inspection bodies on an international level but concluded that national independent bodies of inspection, with the right to make unannounced visits to any place of detention without restriction, may be more able to keep individual countries or police forces under constant scrutiny. They can monitor police conduct more closely and regularly than international bodies and they can also establish ongoing discussions with the police.

### Investigation in cases of alleged torture or ill-treatment.

If there are allegations of widespread or systematic torture or ill-treatment in a society, it would be in the interest of the police to have these reports investigated by an independent body. The results of the investigation as well as the methods of inquiry by the police should be made public as soon as possible. It is important that society be informed about investigations of alleged cases of torture. The indirect, or direct, possibility to monitor the police would build up a confidence in the police.

### International police co-operation.

Lars van Troost focuses in his paper on a new problem which deserves attention, namely transnationalization of crime. The police have to seek international co-operation for the exchange of information but also for mutual accountability. Apart from issues such as the rights of a suspect, the police would have an interest in trustworthy information and how the information was required. The police should only accept information which is required by methods that comply with the highest standards of professionalism.

Police unions and other professional police organizations can play a major role in promoting actions against torture and ill-treatment, such as the establishment of domestic bodies of inspection and domestic external complaint mechanisms. They could also promote knowledge of and adherence to international human rights and criminal justice standards, such as the UN Code of Conduct for Law Enforcement Officials, the UN Basic Principle on the Use of Force and Firearms by Law Enforcement Officials, the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. Governments have been advised to incorporate the provisions of the Code of Conduct for Law Enforcement Officials into national law.

Finally, Lars van Troost concludes that it is important that NGOs, working with the police, should begin their communication with the police more in terms of professional policing than in terms of human rights. If anything, professional policing is in the interest of the police and NGOs could prepare a coherent concept of professional policing which involves respect for and protection of human rights.

#### 4.3.2. Introduction to working party 3

The aim of this working party was to discuss how the police could contribute to prevent torture and ill-treatment in their own as well as in other countries. Topics such as standards for arrest, detention, interrogation procedures and the means and methods of policing were on the agenda for this working party.

Various safeguards are required under international standards which could be developed for the protection of detainees such as holding detainees only in officially recognised places of detention, registration of the person responsible for detention and interrogation, registration of the time and place of interrogation, and videotaping of the interrogation procedure. If the standards of arrest followed international criminal justice and human rights standards, it would also serve to protect the police themselves from false accusations of torture or ill-treatment and increase public confidence in the police.

Other questions of relevance for this working party was the role of formal police training and education, to develop measures on a national as well as on an international level to facilitate impartial and independent investigation of police conduct and the establishment of local bodies of inspection of police detention places and investigation of alleged cases of torture. The working party was invited to produce a program of action for police organizations, individual police officers, police training institutes, NGOs and others.

#### 4.3.3. Report from working party 3

##### Recommendations

##### Training

1. Human rights education or ethics training should be integrated into training focused upon increasing the professionalism of the police. Although there is a need for a realistic appraisal of resources and operational constraints which may give rise to human rights violations in devising training programs, lack of resources can never be a justification for torture or ill-treatment.

In societies where violence has become an accepted way of "solving" problems, police excesses are more likely to be accepted. Police trainers need to understand this context which can have an impact on police conduct.

2. Training should involve all police ranks and not just the higher ranks or new recruits.

3. Training would probably be more effective if it involves other police officers, possibly from other countries, as instructors. NGOs have a role in encouraging such programs.

4. To ensure that training is carried out in a serious manner, there is a need for political will. These reforms may be difficult to institute in repressive societies and non-democratic states.

##### Recruitment and conduct of the police

5. Criteria should be developed for the recruitment of police officers who, in the performance of their duty, will maintain and uphold human rights.

6. Mechanisms for rewarding positive conduct should be introduced.

7. A code of conduct for interrogation should be developed and disseminated

8. Violations are more likely to occur where the police force is composed of officers without any organic relationship to local communities.

9. More decentralised, locally accountable police may be less inclined to commit human rights violations.

10. Police management should be made accountable for the conduct of their subordinates. There can be no excuse that they did not know if subordinates are involved in torture.

#### Inspection models

11. External inspection bodies, both internationally, regionally and nationally, should have a right to make unannounced visits and have free access to all relevant documents.

12. Inspection bodies should have the right to make follow-up visits.

13. In repressive, non-democratic societies, greater reliance will have to be made on international inspection bodies.

14. Failure to keep proper custody records should be made an offence.

15. To transfer an arrested person to a non-formal place of detention should be made an offence.

#### National criminal investigations into complaints

16. The system should have appropriate guarantees of impartiality and objectivity. A set of criteria for adequate criminal investigation should be developed and disseminated.

17. Complaints should not be subjected to reprisals; nor should any possibility for counter legal proceedings by the police be allowed to deter genuine complaints of ill-treatment. Special considerations should be applied where there are allegations of rape of detainees by police.

18. Results and methodologies of the investigations should be made public.

19. The public prosecutor should take expeditious and effective action when he or she receives complaints of torture or assault.

20. The public prosecutor should be independent of the police and have access to independent investigators.

#### Tactical /operational co-operation between police forces

21. There was no consensus within the working party about the police forces involved in transnational investigation and their responsibility to refuse to accept confessions or other evidence obtained under torture. Some participants argued that this was not a realistic demand to make. However, the police forces or government should not hand over evidence to other countries which could lead to the commission of human rights violations such as torture or death penalty.

22. Accountability between police forces should be put on the agendas of co-operating bodies - Interpol, Europol and other bodies and intergovernmental organizations.

#### Police unions and associations

23. There is a great variety in the level of openness to human rights messages and human rights responsibilities among different national police associations. In some countries the police are prevented from forming any associations, or the associations so formed have proved ineffective in addressing even questions of pay and conditions for police members.

The working party agreed on the creation of an international forum, in order to bring together police officers who advocate human rights action, in order to stimulate their work and foster solidarity. There could, however, be negative consequences in their own countries for police officers who participate in such a forum, e.g. demotions, transfers or worse consequences.

24. Police unions and associations should have a responsibility for advocating human rights issues within the police forces in different countries. Police associations could be useful vehicles for a



human rights message on the prohibition of torture.

Human rights NGOs' approach to the police

25. Where possible, there should be co-operation between the police and NGOs. The situation is, however, never static and NGOs need to assess periodically whether the dialogues established have proved to be fruitful. It could be important to try to reach high-ranking officers to persuade them of the importance of human rights as this may have positive consequences on the lower ranks.

26.

NGOs could cooperate with medical or legal organizations to bring a torture prevention message to the police. These organizations embody professional expertise recognised by police officers.

27.

The clergy can be a resource in acting as a "conduit" to the police.

International transfers of equipment

Amnesty International has recorded transfers of police equipment, for instance electric shock batons, which have been transferred from one country to others and have led to violations of human rights. Governments should have a responsibility to control the export of equipment which could be used to violate human rights. There should be a clear prohibition on the presence of such material in interrogation rooms. Seized materials relevant to investigations, should be clearly labelled and stored in a special area.

28. As not only special equipment but also ordinary materials can be used for torture, monitoring the conduct of the police is relevant.

29. Human rights organizations should work together to document and oppose transfers of torture equipment, know-how and training for military, security or police personnel.

4.4. Working party 4 - Public Opinion and Public Awareness

The question of the need to convince public opinion in the fight against torture has, in Amnesty International's previous work, been largely left aside on the assumption that the public in general condemn torture. This may largely have been the case concerning torture against political prisoners in the past, but today there are worrying signs that it cannot be taken for granted that the public opinion condemns torture and ill-treatment in all cases and especially not if it is inflicted on unpopular groups.

The issue of public opinion and awareness-raising is the theme of the document "Public Awareness and Public Campaign" written for the conference by Tajinder Singh and others from the Human Rights Trust in India. Below is a summary of this document.

4.4.1. Summary of background paper "Public Awareness and Public Campaign" by Tajinder Singh  
The perception of the people

In 1994, a group of human rights activists in India interviewed an old man who told them that he had been illegally detained at a police station for over a month but the police officials did not do anything to him. The group was surprised as they knew that torture was routine in police custody. The group therefore continued questioning this man. "Did the police abuse him verbally?". The man agreed but said that this was normal. "Did the police slap, kick or beat him with a leather strap?" "Yes," he answered, "but that was always done." The group found that even if this man had been kicked, slapped and beaten, he did not consider himself to have been tortured. The definition of torture in his mind was different. If he had been hanged upside down, if a rod had been inserted in his rectum etc., he had considered it to be tortured. The group came to the conclusion that the vast majority of people considered hurling abuses, slaps or beating with fists or batons as a normal

part of police officials' work and they did not see this as torture.

The group found that this was not only the opinion of illiterate peasants but also of educated middle class people. People do not oppose the practice of torture itself as a method of interrogation and punishment. They find it quite normal for the police to torture a suspect and seem to be convinced that the police have failed in their duty and justice if they do not beat a suspect.

There are, however, sometimes reactions from the public against torture. But if so, the reactions have been more a sense of moral outrage when something serious has happened such as death in custody, and not as an expression of condemnation of torture as being an illegal act.

The judicial system is ineffective, have limited resources and the police often have to take the law into their own hands to prevent crime. The police officers are under pressure from the public to sustain law and order in the society. To solve crimes by using torture appears for the police to be the most effective way. Lower level police officers often believe that they are doing the right thing when they use torture.

#### Raising public awareness

The Human Rights Trust writes that any program of public awareness must take into account the general level of awareness already existing in the society, and also an understanding why state agencies torture or treat people inhumanely. The justification of torture may come from a nationalist feeling or as an effective tool to protect the society from crimes.

A strategy for public awareness must go to the very root of this thinking both of the public and of the police officials. The international human rights community has to face questions such as "If the police do not torture, how can they be expected to investigate a case?" or "What is wrong in punishing the guilty". It is important to make clear that to abstain from torturing a suspect, does **not** mean that the suspect will not be interrogated or, if found guilty, not be punished. It has to be made clear to the public, as well as to the police, that a suspect should be dealt with according to the rule of law. The penal code of a country lays down the punishment given for a certain offence and it is not the police who have the power to decide, or carry out punishments.

In every society, there are groups who are more exposed to violations due to ethnic conflicts or other internal problems. It is necessary, when campaigning for public awareness, to consider who are the most vulnerable groups susceptible to torture in a society.

A study of custodial deaths in Delhi and the state of Uttar Pradesh for example, showed that the majority of people who were victims of custodial violence came from the economically poor and socially disadvantaged groups of society where there is an atmosphere of violence in the daily life.

Another factor when choosing a strategy for raising public awareness against torture is to understand what kind of political system there is in the country. The approach will be different in an open democratic society from that of an authoritarian society.

According to the Human Rights Thrust, the main thrust of public awareness should be on the empowerment of the people. The most vulnerable groups who are facing torture are poor and illiterate and their self-esteem is very low. Torture is often used to attack the self-respect and break down the person mentally. If the people have more self respect and dignity and a knowledge of their rights there is already a preventive step forward. They should be made aware of their real rights, as well as of the various fora which they can approach for the redress of their grievances.

#### How should people be approached?

One aspect mentioned in this paper was that the activist should not approach the people with an attitude of charity or superiority if he wants to achieve the desired results.

The media play an important role in public opinion. However, they tend to report about events

which have already taken place. The media could raise awareness of the occurrence of torture by reporting about actions taken against those responsible for an abuse. The film industry and the television are also criticized for glorifying police violence.

#### The role of NGOs

Non-government organizations have an important role to play in creating awareness about human rights. One initiative could be to develop training programs for workers from the villages/slums, such as community health workers, barefoot lawyers etc.

Another method of creating public awareness comes from a group in Bombay. Whenever the police bring a person to the police station, a group of people go there and ask questions about the offence, the nature of the evidence etc. in order to ensure that the person is treated properly. This has raised the public's awareness of the role of the police and has also given them the courage and strength to face the police.

Apart from this, the Human Rights Trust gives examples of various methods which could be used in raising public awareness, such as posters, wall writing, mobile poster exhibitions, public meetings, cycle rallies and street theatre.

There is of course no concept which is applicable in every society or in all situations. Which methods are most appropriate to use in a certain society has to be considered. Raising public awareness about human rights will, however, have an effect on the work to prevent torture.

#### 4.4.2. Introduction to Working party 4 on Public Opinion and Public Awareness

The working group was assigned the task to find strategies to raise awareness of torture among the public and key groups in society and to pay special attention to the torture and ill-treatment of members of vulnerable groups such as common criminal suspects and ethnic minorities. These groups are often targeted for ill-treatment by the police such as beatings, and it is necessary to create awareness among the public that this is unacceptable.

Why is it important to ensure that the public, including influential members of key professions, oppose torture?

On a national level it is important that a case of torture or ill-treatment provokes a public reaction and outcry directed at the authorities. If the public tolerate torture or ill-treatment, the officials responsible may feel free to practise it knowing that the public accept it or, at least, are willing to tolerate it. Public opinion should therefore be seen as a tool, as a means of pressure for the prevention and abolition of torture.

On an international level public opinion is important for similar reasons. Outrage over the practice of torture in another country can lead to an international appeal to stop it. If the public are concerned about torture, their government is likely to be more inclined to intercede with governments where torture exists and to work for prevention on an intergovernmental level.

NGOs have an important role to play in strengthening public opinion against torture and ill-treatment. But, what arguments and facts could be used in a society where there is an increase in crime or where normal life is threatened by terrorism? How should different key groups in society be approached?

It is necessary for NGOs and others working with public opinion and awareness to have enough arguments against torture and also to identify certain key persons or groups in the society who can contribute to public awareness against torture.

The report from this working party begins with an introduction to various conditions and attitudes conducive to torture followed by arguments against torture. The second part comprises

recommendations on key groups and individual professionals in the society which could be used as opinion creators, and advice to NGOs and others on how to get the public to oppose torture and ill-treatment.

#### 4.4.3. Report from working party 4

The discussion evolved around the various conditions which may contribute to the practice of torture by law-enforcement officials, attitudes within the public which support torture, arguments which may be used to counter such attitudes, and the ways by which sectors within the society may be reached and influenced in order to make governments discard practices of torture and other forms of cruel, inhuman or degrading treatment or punishment.

Obviously, in every society different practices, conditions and attitudes exist, and consequently, NGOs working to abolish torture may utilise varying methods for influencing public opinion. This report provides some general guidelines for action.

The working group stressed the need for co-operation and co-ordination among human rights organizations and other groups and individuals fighting torture, both within each country and internationally.

The working group also pointed out that torture and ill-treatment of any man or woman, from whatever background and for whatever reason, must be condemned and fought with equal vigour.

In addition, it was concluded that as torture is not practised in isolation, efforts for its abolition should be part of a general struggle against human rights violations.

#### Part 1.

##### Conditions and attitudes conducive to torture

1. Effectiveness: for some people, torture may be seen as an efficient tool for the prevention of crime, as well as for punishment and deterrence. This could be the case in a society with a high crime rate and where people find the protection of their security ineffective.

Faced with indiscriminate political violence often labelled "terrorism", some people may view torture as undesirable but sometimes the only effective means of saving innocent lives, thus leading to the idea of torture being preferred as "the lesser of two evils."

2. Distance: people may tend to oppose torture the more distant it is from them, and to support it the more it is invoked as a means to defend their own lives, property or way of living.

3. Dehumanisation: the underprivileged, criminals and "terrorists" may be perceived as undesirable, corruptive or subhuman. The public may regard them as guilty by definition, so that their torture is not considered immoral.

4. Self perception: the underprivileged may regard torture as normal police behaviour and therefore accept it. In addition to a lack of awareness of their rights, low self-esteem and a lack of means, this contributes to inaction on their part.

5. Denial: governments may deny the fact of torture, or conceal it in different terms to make it seem more acceptable.

6. Culture: justification may be offered for some forms of ill-treatment or torture, such as corporal punishment, including mutilation as a punishment, as being an important, or even sacred, part of the specific culture, which others cannot appreciate and therefore have no right to criticize.

7. Gender-oriented justification or tolerance: governments may ignore or treat lightly rape or sexual abuse by public officials, including soldiers, of women and sometimes men, for example seeing it

as natural for male soldiers, after battle, to "have some fun".

Counter arguments

### **1. General moral rejection:**

Torture is morally abhorrent and totally unacceptable, being a denial of the very nature of human beings as such, turning people from subjects into objects and from ends into means, and breaching the integrity of the human person, which is inviolable. Human dignity should be respected equally for all humans - whether women or men, innocent or guilty, regardless of race, culture or religion. Torture should be prohibited always, absolutely and unconditionally, no matter how efficient it may be considered.

Rejecting torture is both a personal and a social decision. Any society where it is suggested that torture is acceptable should be asked:

- a) Do you want to adopt the means used by "terrorists" in shaping society, or would this rather hollow any claim for justice or morality in combating "terrorism"?
- b) Do you believe law and order could be maintained by a policeforce which flagrantly breaks the law, or would this instead contribute to a breakdown of the law, to every person taking the law into their own hands and to an ever-widening spiral of violence?

Each society should respect other societies' culture and traditions, but should also be able to question their culture-related practices when it comes to breaches of universal and fundamental human values.

### **2. Effectiveness:**

In putting forward arguments with utilitarian dimensions we should stress that underlining our position is always the above absolute moral prohibition. Rather than an attempt to prove that torture is not effective, the argument should be that, in addition to being the subject of an absolute moral taboo, it may have negative practical consequences:

- a) Torture may be counterproductive: the use of torture has never led to the eradication of crime and "terrorism". On the contrary, torture victims are likely to feel anger, indignation and alienation from the law-enforcement officials, justice system and society which have allowed their torture. As a result, non-violent opposition or criminals may turn violent, others may become more violent, and society as a whole would suffer.
- b) The dangers of ignoring international obligations: internationally accepted norms prohibit all states, as members of the international community, from torturing. Compliance with international agreements and customs is the only way to assure peace, stability and cooperation among states. Breaching the prohibition of torture may lead to citizens of one country being tortured by the authorities of another country.
- c) Torture cannot be limited to a few, isolated cases: even if governments intend to use torture only in "ticking bomb" situations or against particularly dangerous criminals, the authorities inevitably wind up, torturing many, arbitrarily and often.
- d) Torture may not necessarily produce the truth: people undergoing acute pain may confess to crimes they have not committed, thus throwing police off the track of the real perpetrators and incriminating innocent people.
- e) The same ends may be achieved using lawful means: there are efficient non-violent, "torture-free" interrogation techniques which have produced results. Similarly, there are other efficient means of punishment and deterrence. Such means do not have the negative "side effects" noted above. These means include a well-equipped, educated and well-paid police force with human rights training, as well as an efficient and equitable judicial system.

### **3. Understanding**

We should understand people's traumatic experiences of violence and crime, which may lead some people to say that torture is justified. We should not alienate ourselves from the victims of such actions, but should address the decisions which must be taken on the social level.

### **4. Facts**

We should counter denial by clear and irrefutable facts. We should counter the assumption that the victim is guilty by showing the many cases where innocent people were tortured, stressing, at the same time, that torture is never justified. We should shatter the false feeling of "this can only be done to them" by showing the many cases where torture "spilled over" to affect other sections of society.

### **5. Awareness:**

Society as a whole, and victims and potential victims of torture in particular, should know that they have a right to integrity of person, that torture and other ill-treatment are absolutely prohibited by international and (where applicable) national law. People should be provided with human rights education, including information on torture, rape as torture, torture by non-governmental actors and governmental inaction similarly. They should be made aware that police may use force against detainees only in very specific circumstances, for example self-defence for the purpose of effecting arrest and restraining violent detainees, and even then only to the extent necessitated by the situation. No other use of force is ever legal. Those who have been victims of unlawful use of force have the right to redress, and perpetrators should be prosecuted and appropriately punished.

Part 2.

Getting the Message Across

Recommendations on whom to approach and how.

Different sectors of society must be successfully influenced in order to effect change. People who can influence policy or public opinion and communities which are more susceptible to human rights violations may be addressed using different strategies and tactics. The following list is indicative of the type of techniques which may be used to address these groups.

The working party stressed the need for further consultation, especially with people belonging to various sectors of public opinion, in order to form more detailed strategies and tactics for addressing and influencing members of these groups.

#### **1. People who influence policy**

People who are involved in situations where torture may occur or have direct influence on government policies, may include politicians, members of the medical and legal professions and business people. Such people are often professionals, organized in trade unions, bar associations etc, or otherwise sharing professional ethics, codes and social ties. They often have relations with other professional individuals and groups both nationally and abroad.

Recommendations:

NGOs and others could approach these groups in different ways such as:

1. Writing articles in professional magazines, holding presentations, setting up information tables in their meetings, mailing information to them,
2. Joining associations, including those in commercial industry, and influencing from within - presenting resolutions (e.g. against exporting products used for torture), promoting research, shaping ethical codes and enforcing them, insisting on human rights education.
3. Relying on the expertise of members of these groups to influence other members in the general effort against torture.

4. Using public challenging methods such as demonstrations, boycotting and lobbying against invitations to those involved in torture to speaking engagements, publishing lists of perpetrators, including states, pointing out perpetrators and military and civilian leaders, and pressuring for their prosecution and condemnation.

5. Providing human rights education to professional groups, including police training program, and programs enabling the medical profession to recognize and treat the effects of torture.

## 2. People with direct influence on public opinion

People with direct influence on public opinion act as educators. Most of them are professionals; they can influence young people's and adults' concept of the world and have expertise in both the subject and teaching methods. A problem which has to be solved is the lack of human rights curricula in educational institutions and programs.

### Recommendations

NGOs and others could help solve this problem and should:

6. Demand the introduction of human rights education and be prepared to provide it themselves.

7. Prepare and provide materials for human rights education.

8. Disseminate existing human rights education materials and provide training programs throughout the world.

## 3. Media:

The media in this context include all forms of mass electronic and printed media, both factual and fictional.

One problem with the media is that much of it is commercial and it may often be sensational, superficial and trivial.

Actual torture may be unreported, especially torture of criminals, while in fictional presentations, torture may often be gratuitous and portrayed as justifiable.

### Recommendations

NGOs and others could change attitudes and use the media in the fight against torture by the following strategies:

9. Meeting people coming out of movies where torture is portrayed, and entering into dialogue with them about the practice of torture

10. Adopting effective tactics used by other groups in combating "pro-torture" advertisements (i.e. those glorifying brutality).

11. Rewarding the media for good human rights coverage

12. Educating those involved in the media industry

13. Encouraging the free flow of information and discussion about torture

14. Providing training to NGO members to utilise the media to the advantage of human rights.

15. Using new technologies for NGOs to gather, share and disseminate information about torture.

## 4. Popular personalities:

Popular personalities are another group which could be approached. These can include persons who enjoy a position in society which allows them to influence public opinion. Commercial and political considerations, which often overshadow human rights ones, lack of information and general apathy are factors which, however, may affect this group. NGOs and others must keep this

in mind when approaching this group of people. The group is important as they could be used as spokespersons for human rights issues.

#### Socially vulnerable groups

These groups have often less power individually, they may have low self-esteem and less access to education. The fictional media often confirm their poor self-image and these groups often live in an environment where violence is commonplace.

Recommendations as to what NGOs and others could do to help improving the situation for socially vulnerable groups include:

16. Urging religious and other local community leaders to join and lead the effort against torture and provide assistance and co-operation.

17. Working within communities to encourage and enhance awareness of human rights through education programs

18. Organizing communities to defend their own rights collectively

19. Providing para-legal and para-medical training to individuals within affected communities

20. Utilising all available possibilities to influence the public such as using posters, slogans, graffiti, street theatre etc.

21. Enabling and encouraging people to join NGOs which combat torture.

## 5. The Plan of Action adopted by the conference

Amnesty International

### PLAN OF ACTION AGAINST TORTURE

Adopted by the International Conference on Torture  
Stockholm, 4-6 October 1996

We, the participants in the International Conference on Torture, comprising Amnesty International members, other human rights defenders and experts from around the world,

UNITED in our abhorrence of torture and cruel, inhuman or degrading treatment or punishment and outraged by the impunity enjoyed by its perpetrators,

DEEPLY ANGERED by the persistence of torture and ill-treatment, despite the fact that 99 countries have ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) since the Convention was adopted in 1984,

ALARMED by the continuing complacency and even acceptance of torture among parts of civil society,

DETERMINED to press the authorities of all countries to honour their obligation to prevent torture, as established in the Convention against Torture and other international human rights instruments and national laws, reaffirmed at the 1993 Vienna Conference on Human Rights and summarized in Amnesty International's 12-Point Program for the Prevention of Torture,

STRESSING that the victims of torture can include not only political prisoners, but members of vulnerable groups such as ethnic and sexual minorities, refugees and asylum-seekers, immigrants, common criminal suspects and prisoners, the socially deprived and economically marginalized, and



people caught up in armed conflicts,

COMMITTED to combat all forms of torture, including rape and sexual abuse, and to maintain a gender perspective in the fight against torture,

RECOGNIZING the achievements of the past decades in exposing the facts of torture and pressing for action at the local, national and international levels,

MINDFUL of the need for human rights defenders to continue their vital work against torture through investigation, action through the courts, campaigning, and providing support to the victims of torture and their families,

CONVINCED of the need to find new means of action for civil society to combat torture everywhere,

Adopt the following Plan of Action and commend it to the attention of non-governmental organizations and concerned individuals as a program of steps to be taken in the coming years.

## PLAN OF ACTION

### I. ACTION AT NATIONAL LEVEL

#### Plans for abolition

National non-governmental organizations (NGOs) in every country should draw up comprehensive plans for the abolition of torture. They should work for legal and institutional reform where needed, and for proper training of all those involved in the administration of justice. NGOs should maintain vigilance at all times so that any occurrence of torture is exposed and swiftly acted on. Public awareness, campaigning and human rights education should be integral to their work. They should urge governments to ratify UN and regional human rights treaties.

NGOs should give special support to vulnerable social groups, making them aware of what constitutes torture, and of their rights and how to defend them.

#### Inspection visits

NGOs should promote the right of relevant NGOs and independent national institutions to make unannounced and unrestricted visits to all places of detention, including those under military jurisdiction.

#### Legislation

NGOs in each country should work for the adoption of comprehensive legislation for the prohibition and prevention of torture. The legislation should establish that torture is a specific criminal offence, defined in a way that is not narrower than the definition in the Convention against Torture. Torture and ill-treatment should be punishable by penalties which take into account their seriousness. The legislation should provide for other elements needed for the prevention of torture, including the holding of prompt, impartial and effective investigations into complaints and reports of torture; safeguards on arrest and during detention, including prompt and regular access to lawyers, doctors and relatives; bringing those responsible for torture to justice; and fair and adequate redress from the state, including appropriate medical care, financial compensation and rehabilitation for victims of torture and their dependants.

#### Public opinion

In engaging the public in the fight against torture, NGOs should emphasize that torture and ill-treatment violate the integrity and dignity of the human person, that they violate all accepted norms of civilized behaviour, that they are universally prohibited, are morally abhorrent and totally unacceptable in any form. NGOs should also stress that torture is a fundamentally flawed method of obtaining reliable evidence to combat crime. They should be familiar with the arguments which may be advanced as justifications for torture and should be prepared to confront them.

The news and entertainment media have an important role to play in the effort to abolish torture. They should refrain from portraying torture in a way that makes it seem acceptable.

#### Police

Respect for human rights is inherent in professional policing. Human rights education should be integrated into training programs on police ethics and professional conduct. Training programs should emphasize the ability of a professional police force to investigate crime and maintain law and order without resorting to torture.

An international code of practice for the professional conduct of interrogation should be developed, recognizing that no police or other law enforcement official may inflict, instigate or tolerate torture or other cruel, inhuman or degrading treatment.

#### Impunity

NGOs should explore ways of collecting information on those responsible for torture with a view to ensuring that governments bring them to justice. NGOs should campaign against amnesties granted before the truth is revealed and the perpetrators tried and sentenced.

NGOs should support torture victims in presenting their cases before official investigatory bodies and press for the evidence to be followed up.

#### Armed opposition groups

NGOs should campaign for armed opposition groups to commit themselves to and implement the prohibition of torture under international humanitarian law.

#### Torture equipment and training

NGOs should work together to ensure national and international monitoring and control of the provision of equipment, training, funding and other assistance for military, security or police use in order to ensure that this does not facilitate torture by governments or armed opposition groups.

#### Rape and sexual abuse

NGOs should strongly oppose all forms of sexual abuse by state agents, reaffirming in particular that rape clearly constitutes torture. They should pay special attention to the impact of cultural attitudes in aggravating the suffering of victims and their families.

#### Asylum

NGOs should campaign for governments not to return any person forcibly to a country where he or she risks being tortured.

## II. ACTION AT INTERNATIONAL LEVEL

### Field Presence

NGOs should work for the increased use of on-site international monitoring and investigation.

Where such field presence can operate effectively and personnel are properly trained, it is a direct and potent way of protecting people from torture. All UN and independent agencies with a field presence, whether involved in aid, development, economic or refugee projects, should be pressed to ensure that their presence contributes to the prevention of torture.

### Global inspection system

NGOs should work together for the adoption of the strongest possible Optional Protocol to the Convention against Torture providing for a global system of inspection visits to places of detention as a safeguard against torture. The system can and should be set up by the year 2000.

### Resources

NGOs should insist that more funds be allocated to the grossly under-funded human rights

programs at the UN and regional intergovernmental organizations. Within the UN human rights program, more personnel should be allocated to bodies and mechanisms that combat torture, which are themselves under-resourced in comparison with other parts of the program. NGOs should campaign for increased donations to the UN Voluntary Fund for Victims of Torture.

#### International justice

NGOs should press governments to pass effective laws and to take action so that alleged torturers from anywhere in the world who enter their country are investigated, arrested and prosecuted or extradited, as required by the Convention against Torture. NGOs should inform each other when alleged torturers enter a country so that the relevant government can be called on to act immediately.

NGOs should continue campaigning together for the establishment of a just, fair and effective permanent international criminal court by 1998.

#### Compensation

NGOs should campaign for victims of torture in all countries to be able to obtain compensation through the courts from torturers irrespective of where the torture occurred and where the torturer lives.

#### Women

NGOs should work to increase awareness of the standards and bodies relevant to the torture of women, including the UN Declaration on Violence against Women and the UN Special Rapporteur on Violence against Women. They should work to ensure that experts of intergovernmental bodies effectively and sensitively address the problem of the torture of women, and that an increasing number of these experts are women themselves.

#### National NGOs

National NGOs should help strengthen the work of the UN Committee against Torture, the UN Special Rapporteur on torture and other intergovernmental bodies and mechanisms by submitting information on torture in their countries, monitoring and publicizing the work of those bodies and encouraging victims and their families to submit individual cases. International and regional NGOs should assist national NGOs in this work, including by providing translations of important documents, practical training and funding.

## Appendix 1

Developments in the fight against torture since 1972.

### 1. Amnesty International's prior campaign against torture (1972 - 1973)

Amnesty International launched its first worldwide campaign for the abolition of torture on Human Rights Day, 10 December 1972, with the aim to make torture "as unthinkable as slavery". The campaign could be summed up in three words: documentation, denunciation and mobilisation. One example of the documentation of torture was Amnesty International's Report on Torture, published in 1973. Such a report is in itself a denunciation of torture. The mobilisation began with the circulation of a petition to the United Nations calling on the UN General Assembly to "outlaw immediately the torture of prisoners throughout the world". This petition, with more than one million signatures, resulted in the General Assembly adopting a resolution expressing grave concern about torture. Mobilisation continued with an International Conference on Torture, held in Paris in 1973. The conference adopted numerous recommendations such as the establishment within Amnesty International of a clearing house for information on specific incidents of torture, the formulation of codes of ethics for medical, police and military personnel and the setting up of a register of health professionals to undertake missions to investigate allegations of torture in specific countries.

2. Developments within intergovernmental organisations and non-governmental organisations. Many improvements have occurred since then. In 1975 the UN General Assembly adopted by

consensus a Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("Declaration against Torture"). This was the first international agreement on a set of measures which governments must take to stop torture. It includes the obligation of states to conduct impartial investigations of complaints and reports of torture, the obligation to bring torturers to justice and the obligation not to use statements extracted under torture in court proceedings.

In 1975 the World Medical Association adopted the Declaration of Tokyo stating that a doctor shall not provide "premises, instruments, substances or knowledge" to facilitate the practice of torture and shall not be present at any procedure during which torture is used or threatened.

In 1979 the UN General Assembly adopted the Code of Conduct for Law Enforcement Officials which in its Article 5 states that "no law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment" and that no law enforcement official may invoke superior orders or exceptional circumstances as a justification for torture.

In 1982 the General Assembly adopted the Principles of Medical Ethics Relevant to the Role of Health Personnel, Particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Principle 2 of this instrument states: "It is a gross contravention of medical ethics, as well as an offence under applicable international instruments, for health personnel, particularly physicians, to engage, actively or passively, in acts which constitute participation in, complicity in, incitement to or attempts to commit torture or other cruel, inhuman or degrading treatment or punishment."

International non-governmental organizations were created with the specific aim of combating torture such as ACAT, Action of Christians for the Abolition of Torture, and the Association for the Prevention of Torture (formerly known as the Swiss Committee against Torture). National human rights organizations, such as the Vicaría de la Solidaridad in Chile and Free Legal Assistance Group, FLAG, in the Philippines, documented cases of torture, filed petitions in the courts on behalf of torture victims and made known information on torture to international NGOs and intergovernmental organizations.

Amnesty International's second campaign against torture (1984/85)

Despite the adoption of the above mentioned international instruments, torture did not stop. Amnesty International decided to organize a second worldwide campaign for the abolition of torture, held in 1984/85. The world's governments had agreed on the necessary measures which must be taken to stop torture. The aim of the campaign was to make these measures known and to call on governments to implement them. As Amnesty International stated, the "...existence in a country of torture or not is, to a very large extent, a question of political will".

Amnesty International devised a 12-Point Program for the Prevention of Torture. This program included elements from the UN Declaration against Torture as well as measures which had not yet been incorporated in UN instruments, such as the limitation of incommunicado detention. The 12-Point Program (appended to this report) was intended to be both a program of action and a yardstick of governmental behaviour: the preambular paragraphs called on governments to implement the program and stated that in Amnesty International's view "the implementation of these measures is a positive indication of a government's commitment to abolish torture and to work for its abolition world-wide".

The UN Convention against Torture

In the aftermath of the campaign there were important developments.

In 1984 the UN General Assembly adopted the Convention against Torture and Cruel, Inhuman and Degrading Treatment or Punishment ("Convention against Torture"). The Convention came into force in 1987. It prohibits torture in all circumstances, obliges states parties to make torture a criminal offence under their own laws and provides for universal jurisdiction over alleged torturers,

including procedures for extradition. It also forbids the return of persons to countries where they would risk being tortured, insists that victims of torture are entitled to compensation and rehabilitation, and prohibits confessions or statements extracted under torture from being used as evidence in court.

The Convention established a Committee against Torture, (CAT) composed of 10 independent experts. The CAT may examine indications of systematic torture in a country and undertake a confidential inquiry, including the possibility of a visit to the country if the state agrees under Article 28 of the Convention. At the time of being a state party to the Convention a state may declare that it does not recognize the competence of the CAT to examine information indicating systematic use of torture. Of the 102 states which were party to the Convention by January 1, 1997, 10 had made such a declaration (Afghanistan, Belarus, Bulgaria, China, Cuba, Israel, Kuwait, Morocco, Poland and Ukraine).

Article 22 of the Convention, gives individuals the rights to complain directly to the CAT if the state concerned has made a written declaration that it recognizes the competence of the CAT to consider individual complaints. Only 38 states of the 102 states as of January, 1, 1997 made such a declaration.

In 1985 the UN appointed of a Special Rapporteur on torture. The Special Rapporteur can send appeals to any country where torture is alleged to have taken place regardless of whether or not the country is a party to the Convention against Torture.

#### Regional intergovernmental treaties

Regional treaties concerning the prevention of torture have also been adopted.

The African Charter on Human and Peoples' Rights was adopted in 1981 by the Organization of African Unity. Its Article 5 provides that "All forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading treatment and punishment shall be prohibited." The African Commission on Human and Peoples' Rights is the supervisory body.

In 1987, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment was adopted. This Convention establishes a committee, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPC), which has the power to visit places of detention.

The Inter-American Convention to Prevent and Punish Torture was adopted in 1985 and came into force in 1987. Its general provisions are similar to those in the UN Convention against Torture, but it does not set up a body to oversee the implementation of these provisions.

The above-mentioned legally binding treaties, supplemented by non-binding international instruments, provide extensive tools for the prevention of torture. But despite the accomplishments, torture and cruel, inhuman and degrading treatment are probably as widespread as in the early 1970s when Amnesty International held its first Campaign for the Abolition of Torture. This sad fact is the impetus for Amnesty International's projected new campaign.

## Appendix 2

Conference officers.

Chair of the conference: Dick Oosting

Co-Chair:

Anita Klum

Chair

Rapporteur

Secretary

<b>Working party 1</b>	Bacre Waly Ndiaye	Claudine Haenni	Karima Bennoune
<b>Working party 2</b>	Alejandro Artucio	Federico Andreu	Ingrid Falk
<b>Working party 3</b>	Piet van Reenen	Fritz Kodagoda	Mary Rayner
<b>Working party 4</b>	Anne Burley	Yuval Ginbar	Elisabeth Löfgren

## Appendix 3

All participants attended the conference in their private capacity

### List of participants

Abu Se'ada Hafez	Group for Democratic Development	Egypt
Acharya Lokendra	Amnesty International (AI), Nepal Section, Board Member	Nepal
Ahuja Sangeeta	AI, Int. Secretariat, Researcher South Asia	United Kingdom
Akhan Okan	Human Rights Foundation of Turkey, Secretary General	Turkey
Alioune Tine	Rencontre Africaine pour la Défense des Droits de l'Homme	Senegal
Alvarez Rafael	Center for Human Rights	Mexico
Andersen Henrik	UN Crime Prevention and Criminal Justice Branch Assoc. Expert	Austria
Anderson Andrew	AI, Int. Secretariat, Campaign Dep., Director	United Kingdom
Andreu Federico	Colombian NGO Coord.	Colombia
Artucio Alejandro	Int. Commission of Jurists, Legal Officer	Switzerland
Asker Rose-Marie	AI, Swedish Section, Swedish Amnesty Relief Fund	Sweden
Assaf Georges	Commission for Justice and Peace, Secretary General	Lebanon
Aurenche Guy	FIACAT, Org. of Christians Against Torture, President	France
Babouchkin A	"Novy Dom", New Home, charitable human rights organization	Russia
Bank Roland	Researcher, Max-Planck-Institut, Freiburg	Germany
Basse Jean Francois	Observatoire Intern. des Prisons, Regional Officer	Senegal
Beasley Robert	AI, UK Section, Campaign Co-ord.	United Kingdom
Bennoune Karima	AI, Int. Secretariat, Legal Adviser	United Kingdom
Berggren Birgitta	NGO Foundation for Human Rights, Secretary General	Sweden
Bisherurwa Richard	Criminal Investigation Dep., Uganda Police, Director	Uganda
Bouchachi Mostefa	National Organization for Lawyers	Algeria
Bruni Alessio	UN, Centre for Human Rights, Secr. of the Committee Against Torture, CAT	Switzerland
Burley Anne	AI, Int. Secretariat, Europe Program, Director	United Kingdom
Christensen Janice	AI, US Section, Campaign Director	US
Chukwuma Innocent	Civil Liberties Organisation, Police Projects	Nigeria
Cordone Claudio	AI, Int. Secretariat, Director of Research & Mandate	United Kingdom
Daly Dennis	Jamaica Council for Human Rights, Chairman	Jamaica
Del Bel Junior Sergio	AI, Brazilian Section, Policeman	Brazil
Delboy Monique	AI, French Section, Torture Team Co-ord.	France

Diedrich Olaf	AI, German Section, Police Officer	Germany
Doctare Christina	Member of the CPT, Committee for the Prevention of Torture. Med.Dr.	Sweden
Evans Derek	AI, Int. Secreteriat, Deputy Secretary General	United Kingdom
Evans Daryl	AI, UK Section, Member of Medical Group	United Kingdom
Eyjólfsdóttir Jóhanna	AI, Icelandic Section, Director	Iceland
Faroppa Fontana J.	UN Missions in El Salvador, Legal Adviser	Uruguay
Gallon Gustavo	Andean Commission of Jurists, Director of Colombian Section	Colombia
Ginbar Yuval	B'Tselem, Israeli Info. Center for Human Rights, Researcher	Israel
González Poblete A.	Member of the CAT, UN Commission Against Torture	Chile
Gosteli Danièle	AI, Swiss Section, Campaign Co-ord.	Switzerland
Grundin Brita	AI, Swedish Section, Group on Prevention of Torture	Sweden
Gurung Amod	Police Officer	Nepal
Haenni Claudine	APT, Association for the Prevention of Torture, Secr. General	Switzerland
Hammarberg Thomas	Member of UN Comm. of the Rights of the Child,	Sweden
Hansen Morten	AI, Danish Section, Board Member	Denmark
Hodgkin Elizabeth	AI, Int. Secretariat, Researcher Middle East	United Kingdom
Hoffman Paul	Lawyer, US	US
Howen Nicholas	AI, Int. Secretariat, Legal & Intern. Org., Director	United Kingdom
Joyce Jim	AI, Canadian Section, Campaign Co-ord.	Canada
Kandusi Emmanuel J.	AI, Tanzanian Section	Tanzania
Kanev Krassimir	Bulgarian Helsinki Committee, Chair	Bulgaria
Karlsson Lennart	The Swedish Police Academy,	Sweden
Kellberg Love	Former Member of CPT	Sweden
Kenne Norbert	Pastor	Cameroon
Klum Anita	AI, Swedish Section, Secretary General	Sweden
Kodagoda Fritz	Human Rights Lawyer	Sri Lanka
Kousri Anwar	Lawyer	Tunisia
Kuwayama Aya	AI Japanese Section, Campaign Co-ord.	Japan
Lens Peter	AI, Dutch Section, Board Member	The Netherlands
Lindberg Göran	The Swedish Police Academy, Director	Sweden
Marchesi Antonio	AI, Italian Section, lawyer	Italy
Marsland Robbie	AI, Int. Secretariat, Theme Campaign Co-ord.	United Kingdom
Martin Ian	UN Mission on Rwanda, Chair	United Kingdom
Mc Entee Andrew	AI, British Section, Lawyers' Group, Chair	United Kingdom
McKay Fiona	REDRESS, Legal Officer, United Kingdom	United Kingdom
Movschenson Paul	AI, Swedish Section, Group on Prev. on Tort., Med. Dr.	Sweden
Munoz Cornejo Ruth	UN Police Training, Gender issues	Peru
Mutungu Willy	Kenya Human Rights Comm., Prisons Project Co-ordinator	Kenya
Nagler Gerald	Swedish Helsinki Committee, Chair	Sweden
Nordenberg Charlotta	AI, Chair of the Swedish Section	Sweden
Nusantara Abdul H.	Inst. for Policy Research and Advocacy, Exec. Director	Indonesia
Onyeka Michael	AI, Nigerian Section, Campaign Co-ord.	Nigeria
Oosting Dick	Dutch Refugee Council	The Netherlands
Paez Rubén	Centro de Estudios y Atención Integral a Víctimas de Violencia, Exec. Director	Ecuador
Pajic Zoran	British Institute of Human Rights, Senior Research Fellow	Bosnia-
Herzegovina		
Pelleg Sryck Tamar	West Bank Legal Project, Legal Adviser	Israel
Pennegård Ann Marie	for Foreign Affairs, Counsellor	Swedish Ministry
		Sweden

Pigou Piers	Truth and Reconciliation Commission, Investigator	South Africa
Pirotto Eduardo	Servicio Paz y Justicia, Civil Rights and Pol. Prog. Co-ord.	Uruguay
Prokosch Eric	AI, Int.Secretariat, Theme Research Co-ord.	United Kingdom
Rayner Mary	AI, Int. Secretariat, Researcher Southern Africa	United Kingdom
Reardon R. Francisco	National Prison Ministry, National Co-ordinator	Brazil
Reenen Piet van	Former Director of the Dutch Police Academy	The Netherlands
Reyes Hernan	ICRC, Intern.Com.of the Red Cross, detention related act., Med. Dr.	Switzerland
Rodley Nigel	UN Special Rapporteur on Torture	United Kingdom
Sarraj Eyad El Authority	Gaza Community Mental Health Progr., Director	Palestinian
Sealey Sally	Safety and Security, Dep. Director, South Africa	South Africa
Sharma Bhogendra	Centre for the Victims of Torture	Nepal
Singh Tajinder	Human Rights Trust, Chair	India
Singh V.P	AI, Indian Section	India
Soberon Francisco	Asociación pro los Derechos Humanos, Director, Peru	Peru
Sottas Eric	World Organisation Against Torture, Director	Switzerland
Stadig Per	Int. Commission of Jurists, AI, Swedish Section	Sweden
Stefanescu Manuela	Romanian Helsinki Committee, Vice President	Romania
Stroun Jacques	ICRC, Head of Division for Detention Related Activists	Switzerland
Süntinger Walter	AI, Austrian Section, Lawyer	Austria
Sörensen Bent	Member of CAT & CPT	Denmark
Tidball-Binz Morris	AI, Int. Secretariat, Researcher Central America	United Kingdom
Trifi Mokhtar	AI, Tunisian Section, Lawyers' Comm.	Tunisia
Troost van Lars	AI, Dutch Section, Police Group	The Netherlands
Trubert Françoise	AI, French Section, Co-ord. of Action Dep.	France
Vartiainen Tero	AI, Finnish Section, Executive Committee	Finland
Veen van der Alma	AI, German Section, Campaign Co-ord.	Germany
Waly Ndiaye Bacre	UN Special Rapporteur on extrajudicial, summary or arbitrary executions	Senegal
Weissbrodt David	Member of the UN Sub-Commission	US
Welsh Jim	AI, Int. Secretariat, Medical Team	United Kingdom
Wetterhall Anki	AI, Swedish Section, Conference Coordinator	Sweden
Yildiz Kerim	Kurdish Human Rights Project, Executive Director	Turkey
Zavala Diego	AI, US Section, Board Member	US
Ziouziou Abdellah	Moroccan Org. for Human Rights, Memb. of National Bureau	Morocco
Zoller Adrien-Claude	International Service for Human Rights, Director	Switzerland
Zuñiga Paz Augusto	Human Rights Lawyer	Peru
Östberg Eric	International Criminal Tribunal, former Yugoslavia, Prosecutor	Sweden
Östbø Astrid	AI, Norwegian Section, Lawyers' Group	Norway

Amnesty International Swedish Section. P.O. Box 23 400, S-104 35 Stockholm, Sweden  
Phone: + 46 8 729 02 00. Fax: + 46 8 34 16 08. E-mail: [info@amnesty.se](mailto:info@amnesty.se). Internet:  
[www.amnesty.se](http://www.amnesty.se)

Amnesty International, International Secretariat. 1, Easton Street, London WC1X 8DJ, United Kingdom  
Phone: + 44 171 413 5500. Fax: + 44 171 956 1157



