

Apologists for torture must be challenged

In the wake of the 11 September attacks in the USA, there are attempts to legitimize the use of torture. Some US commentators argue that the threat of attacks means that law enforcement agents should be allowed to torture suspects.

This resurrects arguments we thought had been closed for ever. For generations the world has unanimously condemned torture, much as it has rejected the concept of slavery.

The threat to US civilian lives appears to have changed the agenda.

What do those advocating torture mean? Do they mean slapping? If that doesn't work, are electric shocks acceptable? Or what about shoving a broken broom stick up the rectum of the victim, as happened to Abner Louima in a New York police station in 1997? And if inflicting pain on one suspect to save 10 or 100 lives is acceptable, why not torture the suspect to death?

Torture degrades and brutalizes both the victim and the torturer. It corrupts any society that allows it.

Amnesty International's experience shows that torture cannot be regulated or confined to the ticking bomb scenario used by its apologists. Israel used this justification in 1987 to authorize moderate physical pressure while interrogating Palestinian suspects. Before long, violent shaking and prolonged shackling in contorted positions were being used routinely by the security services against Palestinian detainees. In some cases moderate physical pressure became torture to the point of death. Eventually, in 1999 the Israeli High Court ruled that such methods were unlawful and should be banned.

Faced with obdurate silence from a suspect, torture may seem tempting. The temptation must be resisted. Once torture is justified for one purpose, other

purposes will follow. The resort to torture will lead to false information, false confessions, wrongful convictions, victims broken in mind and body.

Torture is not effective against the threat of Aterrorism@. When the UK used torture against suspects interned in Northern Ireland in the early 1970s, it did not bring an end to the campaign of violence by Republican and Loyalist groups. Only the peace process initiated in the mid 1990s, with an important focus on human rights protection, has, despite its difficulties, made a real difference to the security of ordinary people.

Torture is not just morally repugnant and ineffective. It is also illegal.

The USA has played a leading role in developing international laws against torture. It helped draft the UN Convention against Torture, which explicitly states that there is no justification for torture under any circumstances. The USA ratified the Convention against Torture in 1994 and is legally bound by it. Last year the USA was the largest contributor to the UN Voluntary Fund for Victims of Torture.

It would be a sad irony if the USA, having played such a large part in establishing international laws against torture, then flouted them itself. Under international law, it cannot legally evade the prohibition of torture either by changing national law or by handing suspects over to the security forces of another country who are willing to resort to torture.

The right to freedom from torture is so absolute that it can never be restricted B unlike other freedoms, such as the right to liberty, which in times of national emergency may lawfully be limited. Torture is banned, even during wars, by the 1949 Geneva Conventions.

Acts of Aterrorism@ are an affront to basic human rights. The response to those acts must not be a further affront to basic human rights. Democratic states should not use the tactics of their enemies.

If the USA condones torture, as some are arguing it should, this would violate fundamental human rights as well as legally-binding treaties that the USA has

promised to uphold and promote. It would undermine the rule of law at home and abroad, and give a green light to torturers the world over.