

## **MSP Media briefing:**

### **"Stopping The Torture Trade"**

*The release of the report, "Stopping The Torture Trade", is the latest step in Amnesty International's Stop Torture Campaign, launched in October 2000.*

#### ***What is torture?***

*Torture does not happen in a vacuum. The tools and techniques used by officials for deliberately inflicting physical suffering rely on a failure of political will. If the governments of the world had the will to stop torture, they could do so.*

*Torture and ill-treatment are prohibited in all circumstances under international law. The United Nations Convention against Torture refers to the deliberate and purposeful infliction of "severe pain and suffering, whether physical or mental" on a person "by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity".*

*Judicial corporal punishments and cruel, inhuman or degrading conditions of detention are among the abuses which Amnesty International opposes under the heading of torture and ill-treatment.*

#### ***The tools and techniques of the trade***

*Companies and individuals around the world are involved in providing devices and expertise that are in a few cases deliberately designed for torture, and in more cases are ostensibly designed and supplied for security and crime control purposes, but which in reality can easily lend themselves to torture or are often supplied without hesitation to security forces who are known to abuse legitimate devices and techniques to inflict torture. This is a global trade in goods and*

services involving countries on every continent and is therefore the responsibility of governments in every region.

### *High Voltage Electro-shock stun weapons*

The burgeoning design and use of various types of high voltage electro-shock stun weaponry is presented by companies and officials as a legitimate way of deploying "less-than-lethal" force. However, various types of such weaponry have been used for the torture and ill-treatment of people in many prisons, detention centres and police stations in every region of the world. Amnesty International has evidence that electro-shock stun batons have been used to extract confessions and to intimidate and silence activists, while the use of electro-shock devices is known to be one of the most common methods of inflicting torture in some states. Stun guns, stun shields, stun belts and tear gas stun weapons are also used to shock and incapacitate people with severe pain. The effects on victims, and whether these conform with international human rights standards, have not been subjected to independent and rigorous testing.

The US innovation of the stun belt is one of the most disturbing development to emerge recently in the field of electro-shock technology. It is worn by the prisoner, sometimes for hours at a time with the constant threat that it can be activated at any time. The belt works by remote control; the police or prison officer using the device can be as far as 90 metres away. On activation, a typical stun belt delivers an eight-second shock of 50,000 volts. This high-pulse current enters the wearer's body at the site of the electrodes, near the kidneys, and passes through the body. The shock causes incapacitation in the first few seconds and severe pain rising during the eight seconds. The electro-shock cannot be stopped once activated. The belt relies on the prisoner's constant fear of severe pain being inflicted at any time while held in a situation of powerlessness.

In the words of Dennis Kaufman, President of Stun Tech Inc, a US manufacturer of stun belts: "Electricity speaks every language known to man. No translation necessary. Everybody is afraid of electricity, and rightfully so."

It appears that torturers often prefer to use electro-shock weapons largely because they can inflict great pain without leaving permanent marks on the victim's body. Although the consequences of electro-shock torture vary depending

on what equipment is used and how, the immediate effects can include severe pain, loss of muscle control, nausea, convulsions, fainting, and involuntary defecation and urination. The physical traces of electro-shock torture, such as skin reddening and scarring, usually fade within weeks. However, more lasting effects which have been reported include muscle stiffness, long-term damage to teeth and hair, post-traumatic stress disorder and severe depression.

### *Mechanical restraints*

Handcuffs, leg irons, leg-cuffs, shackles, chains, shackle boards, restraint chairs and thumbcuffs are some of the most widely used security devices. They are also widely misused. In every region of the world they have been used repeatedly and persistently to violate prisoners' human rights. Some of this equipment, such as leg irons, chains and serrated thumbcuffs, are without doubt inherently cruel, inhuman and degrading when used on prisoners and should be banned, but are offered for sale.

A number of former prisoners have reported that the restraints used on them in Saudi Arabia were stamped with the name Smith & Wesson, a US company, or Hiatts, a UK company. Another Spanish company, Larrañaga y Elorza has agents in several countries — including Chile, Pakistan, Thailand and Yemen — where restraint devices have reportedly been misused.

### *Chemical devices*

Police and security forces also utilise an array of chemical devices, promoted on the grounds that they provide an alternative to lethal force but are in reality often misused, resulting in serious injury and even death. There have also been many reports of excessive use of force by police where powerful chemical sprays and tear gas were sprayed directly onto crowds in confined spaces resulting in serious injuries and deaths. Such devices have also been sprayed by police onto individuals at close quarters in the street or used by prison officers against individual prisoners, sometimes with fatal consequences.

In July 1997, Zambian police used tear gas to break up a peaceful protest march to Lusaka city centre. After this tragic event, tear gas was re-supplied from the UK in 1999 despite the lack of training and accountability of the Zambian police.

In July 1997 Kenyan paramilitary police stormed the All Saints Anglican Cathedral in Nairobi. Pro-reform activists had taken refuge there after police violently dispersed their peaceful protest. Police threw tear gas canisters into the building and then moved in wielding truncheons. Many people were injured, some seriously. AI obtained some of the tear gas canisters and plastic bullets used and traced them back to manufacturers in the UK. This triggered a campaign by AI members to put pressure on the UK government and the companies concerned to stop their trade in equipment used in repression. Subsequently the UK government declared that it had rejected £1.5 million of licence applications for riot control equipment – including batons and tear gas – to Kenyan police because of human rights concerns. In June 1999, 2,000 police on horseback charged peaceful demonstrators calling for democratic change. Police beat the protesters, fired tear gas at them and used water-cannon to fire a mixture of water and tear gas, reportedly mixed with an irritant and a dye, directly into crowds who had nowhere to run. The manufacturer of the tear gas this time was a French-based company.

### *Training in techniques used for torture*

The unregulated supply of devices used to inflict pain and suffering is not the only method by which businesses and states can facilitate the infliction of torture. There is also a growing transfer by states and companies of techniques used in military, security and police operations, and the five permanent members of the UN Security Council are among the main providers of international military and security assistance. Unless such training is stringently controlled and independently monitored, there is always a danger that it will be used to facilitate human rights violations.

For example, in September 1996 the US Department of Defense released evidence that the US-run School of the Americas for Latin American officers had used so-called "intelligence training manuals" between 1982 and 1991 that advocated execution, torture, beatings and blackmail. The US manuals, written in Spanish, were used to train thousands of Latin American security force agents. Copies of these manuals were distributed in Colombia, Ecuador, El Salvador, Peru and Guatemala. No US laws were broken in the preparation, distribution and use of these materials. As a result no one has been held

accountable for the development and use of the manuals. Indeed US officials even refused to discipline those responsible for producing or using these manuals on the grounds that there was no "deliberate attempt to violate" US policy.

The United States is not alone. In May 1999 AI published a report, "Togo: Rule of Terror", which described decades of intimidation, torture, "disappearance" and killings by Togolese security forces against the civilian population. The report also detailed the assistance that France had given to the government of President Gnassingbé Eyadéma. Indeed, a high-ranking officer in the Togolese gendarmerie accused by Togo's National Commission for Human Rights of ordering the torture of four people in August 1990, was subsequently awarded the decoration of the National Order of Merit by the French government.

The Israeli security forces have been implicated in the regime at the infamous Khiam detention centre in South Lebanon, where torture was routine and systematic until its closure in May 2000. Although Israelis may not have been involved in the day-to-day running of Khiam, it is clear that they paid and trained the guards and interrogators and used the information extracted under torture. Their position as paymasters and advisors meant they were well placed to secure a halt to Khiam's terrible regime of neglect, cruelty and torture. Instead they supported it.

### **Manufacturers, distributors, suppliers and brokers**

New ongoing research by Amnesty International reveals that during 1998-2000 at least 185 businesses in 25 countries were involved in the manufacture, distribution, supply or brokering of devices that are always or sometimes used to inflict torture. Of these, the United States is by far the most prolific, with at least 74 US companies involved in marketing electro-shock weapons, leg irons, shackles, thumbcuffs and other restraints. Other countries with several such companies include China, France, Russia, Germany, United Kingdom, Poland, Israel, South Africa, Brazil, Mexico, South Korea and Taiwan.

US authorities have permitted new devices such as high voltage electro-shock weapons to be marketed and sold to law enforcement agencies in other countries with a minimum of public scrutiny, with no proper impartial testing, and

without regulation of design and use. Between 1998-2000, 42 US companies produced or offered to supply electro-shock stun weapons. A further 30 German companies made or marketed the weapons, as did 19 Taiwanese companies, 14 French, 13 South Korean, 12 Chinese, 9 South African, 8 Israeli, 6 Mexican, 5 Polish, 4 Russian, 3 Brazilian, 3 Spanish and 2 Czech Republic. Sometimes, as in the case of Spain and the United Kingdom, companies have brokered the sale of electro-shock weapons entirely through foreign, claiming that this "off-shore" trade was legal even though the weapons have been banned at home.

The range of electro-shock stun devices now available around the world has expanded throughout the 1990s and companies offering to supply have spread to Austria, Canada, Indonesia, Kuwait, Lebanon, Lithuania, Macedonia, the Philippines, Romania and Turkey. This has increased enormously the availability of such weapons to security forces that practice torture because even where this is not tolerated domestically, so many of these states have weak export controls. The US government has allowed such modern electro-shock weapons to be transferred by US companies to Turkey (electro-shock shields), Indonesia (stun guns) and Saudi Arabia (taser guns and electro-shock batons and shields), all countries where electro-shock torture has been reported.

Again, US companies have been by far the most numerous suppliers of mechanical restraints, including leg-irons and thumbcuffs. Data for 1990 to 2000 obtained by Amnesty International with assistance from the Omega Foundation shows that US companies constituted at least 42 out of at least 68 firms identified as offering to provide such devices, and 7 out of the 15 manufacturers found world-wide. Other suppliers were found in Germany (8), France (5), China (3), Taiwan (3), South Africa (2), Spain (2), the United Kingdom (2) and South Korea (1).

### **Patterns of torture and abuse**

Instead of proper regulation, governments are allowing their own forces and companies to offer security products and techniques to states with a persistent record of torture. Torture is not confined to military dictatorships or authoritarian regimes; it is also inflicted in democratic states. Moreover, it is

clear that the victims of torture are criminal suspects as well as political prisoners, the disadvantaged as well as the dissident, people targeted because of their identity as well as their beliefs. They are women as well as men, children as well as adults.

#### *Middle East*

Electro-shock torture is one of the most common methods reported in Egypt. While held at the SSI office in Faraana, Alexandria, Mohammed Naguib Abu-Higazi was stripped of his clothes and given electric shocks from a "cylinder shaped stick with a spiral metal wire". He was also reportedly deprived of food for three days, kept blindfolded throughout the entire nine-day detention period and threatened with sexual assault.

#### *Asia*

In 1997 in Taiwan Liu Ping-lang and two others were sentenced to death for a double murder committed in 1991, despite strong indications that they were innocent. Another detainee said he saw Liu Ping-lang being held down in another chair while police used a cattle prod to apply electric shocks to his genitals and witnessed Chuan Lin-hsuing being beaten on the head.

#### *Americas*

Several cases of abuse with restraints and electro-shock weapons in the USA are cited in the report. Scott Norberg died in Madison St Jail, Maricopa County, Arizona, USA, in 1996. He died from asphyxia after being placed in a restraint chair with a towel wrapped over his face after he refused to leave his cell. Before being strapped into the chair he was hit more than 20 times with an electro-shock stun gun. The following year officials informed Amnesty International representatives that the jail system had 16 restraint chairs which had been used about 600 times in six months.

#### *Africa*

In April 1998, the South African prison authorities were reportedly considering buying stun belts from the USA. In August 1999, information from South African prison officials confirmed that a stun belt had begun to be used at a maximum security prison in Pretoria during the transportation of some prisoners. In August 2000, the South African High Commission in Singapore

promoted the supply of stun belts and stun shields from a South African company.

### *Europe*

In May 1993 Hungarian police investigating a car theft raided a Romani community in Béke utca in Orkény, about 50 kilometres south of Budapest. Lakatos Lászlóné, a 55-year-old woman, fainted and was taken to hospital after an officer beat her, ripped off her tracheotomy tube and sprayed tear gas in her face. Fehér Péterné, who was five months pregnant, tried to protect Lakatos Lászlóné as she lay unconscious. She too was beaten and sprayed with tear gas. She later required medical treatment for her injuries. No action is known to have been taken against the police officers responsible.

Even in countries that claim to strictly regulate the use of tear gas it can be abused. In 1999 a report by the UK Police Complaints Authority revealed that in 40 per cent of the 135 cases reviewed, CS gas had not been used in self-defence, that is, contrary to guidelines. In 14 per cent of cases CS gas had been used on people already physically restrained by police officers; in four per cent of cases the person had already been handcuffed.

### **What action is Amnesty International calling for?**

Within the report Amnesty International calls in detail for changes to be made to the way governments licence the manufacture, trade and use of equipment designed for use by military, security and police personnel. In particular, Amnesty International calls upon governments to:

- 1) Ban the use of police and security equipment whose use is inherently cruel, inhuman or degrading. Ban the manufacture and promotion of this equipment and its trade to other countries. This should include leg irons, electro-shock stun belts and inherently painful devices such as serrated thumb-cuffs.
- 2) Suspend the international transfer of electro-shock, leg-cuffs, thumbcuffs, shackle boards, restraint chairs and pepper gas weapons pending the outcome of a rigorous and independent review into the effects of these devices. Suspend the use of high voltage electro-shock weapons pending the outcome of this review.

3) *Ensure that the training of military, security and police personnel of another country does not include the transfer of skills, knowledge and techniques likely to lend themselves to torture.*

\ENDS

public document

\*\*\*\*\*

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW web : <http://www.amnesty.org>