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Europe must halt unreliable ‘diplomatic assurances’ that risk torture

European countries must reject once and for all the dangerous practice of relying on “no torture” promises from governments with proven records of torture, Amnesty International said in a new report released today.

[Dangerous Deals: Europe’s Reliance on “Diplomatic Assurances” against Torture](#) documents how European governments attempt to send foreigners alleged to be threats to national security to countries where they are at risk of torture or other ill-treatment in exchange for unreliable, unenforceable “diplomatic assurances” that they will be treated humanely on return.

“Assurances against torture from governments that routinely practise such abuse simply cannot be trusted. European governments that accept these hollow promises are undermining the absolute prohibition of torture,” said Julia Hall, Amnesty International’s expert on counter-terrorism and human rights in Europe.

“The best way to prevent torture is to refuse to send people to places where they risk being harmed,”

The report focuses on the use of diplomatic assurances by a number of European governments to justify deporting, extraditing, or otherwise forcibly removing foreigners deemed “threats to national security”.

By securing assurances that these individuals will be treated humanely, governments claim that such transfers are “human rights friendly”.

The report challenges that claim by providing research and analysis on how diplomatic assurances threaten the global ban on torture or other ill-treatment and how inherent deficiencies in the practice have led to some people being tortured and ill-treated.

The report includes research on a dozen countries including Austria, Azerbaijan, Bosnia and Herzegovina, Denmark, France, Germany, Italy, Russia, Slovakia, Spain, Sweden, and the United Kingdom.

The use of diplomatic assurances against torture has increased considerably following the 11 September 2001 attacks on the USA. Some states have developed specific laws or policies that enshrine the practice.

Sami Ben Khemais Essid was deported from Italy to Tunisia in June 2008 on the promise of Tunisian officials that he would not be ill-treated in custody there. However, eight months after his return, he alleged that he was tortured during an interrogation at the Tunisian Ministry of the Interior. Similar human rights violations have been experienced by people forcibly returned to other countries, including Egypt and Russia.

In the UK, the Special Immigration Appeals Commission (SIAC) will deliberate this week on the case of an

Ethiopian national threatened with deportation based on a “memorandum of understanding” between the UK and Ethiopia that purportedly promises that the man will not be tortured or ill-treated on return.

In Germany, a Turkish national is awaiting a decision from the European Court of Human Rights regarding the government’s effort to extradite him to Turkey in reliance on assurances from the Turkish authorities that he will be safe in prison there. Denmark and Sweden have stated publicly they will not rule out the use of diplomatic assurances in the future.

”European governments must recommit to the fundamentals of human rights protection. That means safeguarding people from abuse by abiding by their international obligations. Diplomatic assurances do not provide such a safeguard and the practice of relying on them should be abandoned starting now,” said Julia Hall.