

## AMNESTY INTERNATIONAL CONFERENCE LAUNCHES PLAN OF ACTION AGAINST TORTURE

Calling on human rights organizations to renew the fight against torture in their countries through the adoption of national strategies for abolition, an international conference in Stockholm, Sweden on Sunday launched a plan for worldwide action.

The plan of Action Against Torture 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.

For too long, governments have failed to live up to their commitment to abolish torture, said Dick Oosting, the conference chairman and a lawyer from the Netherlands. It is time for human rights workers everywhere to join forces to step up the fight against torture and hold governments accountable.

The International Conference on Torture numbering 120 participants from 50 countries was hosted by the Swedish section of Amnesty International, with assistance from the Netherlands, the United Kingdom and the USA.

The plan states that non-governmental organizations should draw up programs for legal and institutional reforms for the abolition of torture in every country. They should also establish a system of vigilance so that any occurrence of torture will be detected and swiftly acted on. Special support should be given to vulnerable social groups, raising their awareness of what constitutes torture, and of their rights and how to defend them.

An important part of the plan states that respect for human rights is inherent in policing. Human rights education should be built into training programs on police ethics and professional conduct. Action to prevent torture is needed because police officers are among the first to run the risk of violating human rights

The Plan of Action Against Torture, believed to be the first ever of its kind, also says that governments should be pressed to adopt the strongest possible Optional Protocol to the UN Convention against Torture, providing for a global system of inspection visits to places of detention as safeguard against torture. The system can and should be set up by the year 2000.

The International Conference on Torture also adopted the following as parts of the new plan of action:

-Non-governmental organizations (NGOs) should work for the increased use of on-site international monitoring and investigation. Where such field presence can operate under proper conditions, it can be a direct and potent way of protecting people from torture.

-NGOs should work together to document and oppose transfers of equipment, know-how and training for military, security or police use that facilitate torture by governments or armed opposition groups.

-NGOs should oppose all forms of sexual abuse by state agents, reaffirming in particular that rape by state agents clearly constitutes torture.

-NGOs should explore ways of collecting information on those responsible for torture with a view to ensuring that they are brought to justice.

-NGOs should press governments to pass effective laws and 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 UN Convention against Torture.

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

*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.

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