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Saint Lucia: Prisoner shackled and beaten for 11 months

The authorities in Saint Lucia have failed to investigate reports of the shackling of a prisoner with six inch chains around his ankles, and at night his wrists, since his arrest in August 1999, Amnesty International said today calling on the authorities to take action.

"On the evidence available, Amnesty International believes that this treatment amounts to torture and that this prisoner is being singled out by the authorities," Amnesty International said. "The right to be treated as a human being is not foregone at the prison gates."

The chains are not removed when he washes, eats or sleeps and have caused Alfred Harding physical injury. According to information received by Amnesty International, Alfred Harding is suffering extreme pain caused by his prolonged shackling; his ankles have been badly damaged by the contact with the iron of the shackles and his inability to move has led to pain in his back and other muscles.

Alfred Harding is also allegedly subject to regular beatings. He is being held in virtual incommunicado detention on death row in HM Prison Castries, for a firearms offence. The prison authorities have refused permission for local human rights activists and a journalist to visit Alfred Harding.

The authorities in Saint Lucia have failed to respond to Amnesty International's requests for information on this and other related concerns in the prison.

International human rights standards strictly ban the use of chains and impose strict limitations on the use of other forms of restraint. "The use of restraints in this manner cannot be justified," the organization said.

"These allegations must be fully, promptly and impartially investigated and measures must be taken to protect the prisoner from any possible retaliation by the prison authorities," Amnesty International said.

Background

All member states of the UN are expected to uphold human rights protected in international declarations and treaties. As a member of the Organization of American States (OAS), St Lucia is also obliged to abide by the provisions of the American Declaration on the Rights and Duties of Man, article XXVI of which states that, "every person accused of an offense has the right ... not to receive cruel, infamous or unusual punishment."

Torture is banned under international law. The use of chains and irons is prohibited strictly under International standards. International standards also impose severe limitations on the circumstances in which other instruments of restraint may be used and make clear that restraints are only to be used for the shortest possible time*.

* Rule 33 of the UN Standard Minimum Rules for the Treatment of Prisoners states that, "chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances: a) as a precaution against escape during a transfer... b) on medical grounds by direction of the medical officer; c) by order of the director, if other methods fail to control, in order to prevent a prisoner from injuring himself or others or from damaging property...."

Instruments of restraint must not be applied for any longer time than is strictly necessary."

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