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No room for complacency: The fight against torture must be reinforced

There can be no justification for the use of torture no matter what the circumstances, Amnesty International said today, 26 June, United Nations International Day in Support of Victims of Torture.

"The international community must confront attempts to legitimize torture and ill-treatment head on."

"The recent graphic evidence of the torture and inhuman and degrading treatment of Iraqi detainees by Coalition Forces, demonstrates all too clearly the need for renewed efforts to prevent and prohibit these abuses."

Under international law torture and other cruel, inhuman or degrading treatment or punishment, are absolutely prohibited, even during a state of war or state of emergency.

Amnesty International is concerned that the universal condemnation of torture and ill-treatment that has prevailed in modern times is now under threat:

Media reports suggest that there are those who assert that torture and other cruel, inhuman or degrading treatment or punishment may be condoned and could be legally justified under certain circumstances.

Interrogation methods and other treatments that amount to torture or cruel, inhuman or degrading treatment, have been portrayed as legitimate, in spite of the overwhelming relevant jurisprudence of international and regional human rights bodies and national courts that make it clear they are not. The prohibition of the use of evidence elicited as a result of torture in proceedings other than for bringing to justice alleged perpetrators of torture has been questioned.

Some states have breached their fundamental obligation to ensure that no-one is expelled, extradited or returned to a country where they may be in danger of being subjected to torture or ill-treatment.

"All governments must condemn torture unreservedly whenever it occurs and make clear to all public officials that torture and other cruel, inhuman or degrading treatment or punishment will never be tolerated," Amnesty International said.

Amnesty International calls on all governments to ensure prompt and impartial investigations of all allegations of torture and cruel, inhuman and degrading treatment; to bring to justice those responsible for

torture and to ensure reparation for the victims of torture and their dependants.

Amnesty International calls on those states that have yet to ratify the UN Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment to do so as a matter of priority and for those states parties that have issued reservations to withdraw them.

Amnesty International calls all states that are party to the Convention against Torture to ratify without delay the Optional Protocol to the Convention against Torture.

"The hidden practices of torture and other cruel, inhuman and degrading treatment continue to be widespread through the world. Without appropriate safeguards and checks in place, these violations of fundamental human rights can occur anywhere at any time," Amnesty International said.

Background

20 years after the adoption of the UN Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment only 136 states out of 191 have become parties and many have failed to implement it fully at the national level.

The Optional Protocol provides a very practical means to help prevent torture and ill-treatment within places of detention. The Optional Protocol will establish a new international body, a Subcommittee, solely concerned with preventing these forms of abuse through a system of inspection visit to places of detention within states parties. These visits will be followed by concrete recommendations given to the authorities concerned as to how they can prevent torture and ill-treatment.

The Optional Protocol also supports the national implementation of the obligation to prevent torture by requiring all states parties to have in place independent national bodies to conduct regular visits to places of detention to complement the less frequent visits undertaken by the international Subcommittee.

The Optional Protocol will enter into force when 20 states have ratified it. To date, three states have become state parties.

Public Document

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