

MAKE IT STOP

How to Fight Torture – 5 Simple Ideas

The international ban on torture: the legal basics

Torture and other forms of cruel, unusual or degrading treatment or punishment are prohibited in many **international and regional human rights treaties**, including the International Pact on Civil and Political Rights, and the European Convention on Human Rights. International basic standards on the rights of prisoners are also relevant here.

The ban on torture is one of very few so-called **non-derogable human rights**: this means it applies without exception, even in times of crisis. In addition, states who sign the **UN Convention Against Torture (CAT)** are obliged to take measures to prevent torture and to bring those who torture to justice; it also guarantees survivors of torture the right to reparations and to rehabilitation. The UN Committee Against Torture monitors compliance with CAT, and states have to report to it on a regular basis. The decisions reached by the UN committee are important for the international understanding of what constitutes torture, and what states' exact obligations are.

1. Support campaigns against torture

Human rights organisations offer many different ways to join the fight against torture. Amnesty International, for example, regularly organises letter-writing and social-media campaigns in support of people who are at risk of torture and ill-treatment.

2. Defend the rights of refugees

Refugees need our support, and refugees who are fleeing from torture may need special care and assistance. But increasingly, people who have been through traumatising experiences like this are treated like criminals when they try to apply for asylum. States have a responsibility to support refugees and asylum-seekers — and to make sure that no-one is deported to a country where they are at risk of torture.

3. Support rehabilitation centres for survivors

If you have more money than time, support organisations which offer therapeutic and medical assistance to survivors of torture. You'll find some addresses on the other side of this leaflet. If you work in a healthcare profession, you may be able to volunteer your services as well.

4. Vote against torture

Should weapons be exported to countries where they could be used in torture? Is our own government doing everything it can — nationally and internationally — to fulfil its commitments under international laws prohibiting torture? Do politicians take a clear and unequivocal stand against torture? Our elected representatives have a responsibility to be leaders in the fight against torture. Make sure they remember that.

5. Keep informed – and keep others informed

How we think about torture, speak about it, depict it, discuss it — none of this is irrelevant. There's a danger of torture being trivialised, sensationalised, or portrayed as relatively harmless. That's why it's so important to defend the international ban on torture, and to explain why. Some ideas on how to argue against torture — at school or work, on social media, or down the pub — can be found on the other side of this leaflet.

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Universal Declaration of Human Rights, Article 5

The ban on torture: Some answers to frequently asked questions

“What if torture is the only way to get information about an imminent terrorist attack / act of violence and thus the only way to save lives?”

Responding to this so-called “ticking bomb” example, Elaine Scarry* has pointed out that the reality is very different from the hypothetical scenario painted here. In Guantánamo Bay, for example, it wasn’t one or two people who were tortured but thousands of people – most completely innocent – detained and tortured on the flimsiest of evidence at best. And quite apart from the moral and ethical arguments against torture, history shows that information gained under torture is extremely unreliable — especially when compared with information gained through other methods of interrogation that don’t involve attacking the humanity of the person being questioned.

“I’m against torture, but I would make an exception for terrorists and child murderers.”

Dehumanising someone is a very common method for overcoming moral and ethical barriers against violence and ill-treatment, also in the case of war, and genocide. But human rights either apply to everyone, or they’re not worth the paper they’re written on. People don’t stop being human when they conduct inhuman acts. And torture is generally used before a person’s guilt has been established in a fair trial.

“But that’s not really torture, is it?!”

This mostly arises in connection with so-called psychological torture, e.g. forcing prisoners to listen to to persistent loud music, subjecting them to sexual humiliation, or threatening violence against them or members of their families. It can also crop up in connection with methods of torture which do have severe physical impacts — such as forcing people to sing or to stand or crouch in stress positions for hours at a time — but which don’t correspond to what people think of as torture. Important here is to realise that many of these methods – especially when used in combination – have indeed been classed as torture by international legal experts. Moreover, several recent studies have demonstrated that “psychological” torture may be more likely to trigger long-term psychological problems such as post-traumatic stress disorder, and can also result in serious physical health issues as well. And don’t forget: all forms of treatment which are cruel, unusual or degrading are forbidden under international human rights law, not just torture!

Some links and addresses

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| amnesty.org | Amnesty International campaigns regularly against torture, and there are many ways of getting involved. |
| freedomfromtorture.org | UK charity providing therapeutic help to survivors of torture, and campaigning for their rights. |
| atlas-of-torture.org | Information and documentation on torture, compiled at the Ludwig Boltzmann Institute for Human Rights in Vienna |
| dignityinstitute.org | Leading documentation and treatment centre, based in Denmark |
| irct.org | International Rehabilitation Council for Torture Victims |

Introductory literature on psychological torture

D. Kramer, “The Effects of Psychological Torture”, www.law.berkeley.edu/8315.html

H. Reyes, “The Worst Scars Are in the Mind”, www.icrc.org/eng/assets/files/other/irrc-867-reyes.pdf