



COALITION OF INTERNATIONAL NGOs AGAINST TORTURE (CINAT)

STATEMENT ON REVELATIONS OF TORTURE BY COALITION FORCES IN IRAQ

14 MAY 2004

The Coalition of International NGOs Against Torture (CINAT)* is deeply concerned by the recent reports of torture and other cruel, inhuman or degrading treatment inflicted on Iraqi detainees by US and UK military forces serving under the Coalition Provisional Authority.

CINAT draws attention to the fact that torture and other forms of ill-treatment are prohibited in all circumstances: international law allows no derogation from this rule. We hope that the international outcry which has followed these revelations will act as a warning for the governments concerned and for all other States; there can be no room for complacency.

This graphic evidence of abuse is symptomatic of the alarming trend in recent years for principles of international humanitarian and human rights law to be undermined in the fight against terrorism. This trend is evident not only in the isolation and abuse of prisoners in Iraq but also in other parts of the world, such as Guantánamo Bay and the secret detention centres where prisoners have been deliberately placed outside the protection of the law. Equally disturbing is the current debate on what constitutes appropriate interrogation techniques and the apparent 'acceptability' of the deliberate infliction of certain forms of ill-treatment and torture.

CINAT calls for a full and public inquiry to establish the facts relating to the allegations of torture and ill-treatment in Iraq. In line with the statement made by the United Nations Special Rapporteur on Torture on 3 May, CINAT appeals to "all countries with forces serving in Iraq to take prompt and effective steps to investigate, prosecute and impose appropriate sanctions on any persons guilty of the alleged violations, as well as to provide an effective remedy and adequate reparation for the victims of these abuses", including compensation and rehabilitation.

* CINAT member organisations: Amnesty International, the Association for the Prevention of Torture (APT), the International Commission of Jurists (ICJ), the International Federation of Action by Christians for the Abolition of Torture (FIACAT), the International Rehabilitation Council for Torture victims (IRCT), Redress and the World Organisation Against Torture (OMCT).

CINAT reminds the United States, the United Kingdom and other States that their commitment to prevent torture and rehabilitate victims, and to respect human rights and international humanitarian law requires the active support of the highest political and military authorities. In particular, they must:

- Make it clear that torture and other cruel, inhuman or degrading treatment, including so-called stress and duress techniques, are strictly prohibited in all circumstances;
- Establish clear and transparent mechanisms to ensure compliance with this prohibition at all levels;
- End *incommunicado* detention;
- Ensure independent and impartial as well as prompt and exhaustive investigations into and, where there is sufficient evidence, prosecution of each and every allegation of torture or other abuse, and guarantee that there is no impunity for anyone found responsible, regardless of position or rank;
- Provide victims or their families with full and adequate reparation, as they are entitled to under international law;
- Ensure that civilian and military personnel are adequately trained in international humanitarian and human rights law and that these legal obligations are fully integrated into the culture of the military;
- Ensure immediate access to detention facilities world-wide for human rights monitors, including the United Nations, the ICRC and appropriate non-governmental organisations;
- Undertake a comprehensive review of interrogation methods to ensure that they comply with international standards prohibiting torture and ill-treatment;
- Ensure that a mechanism is in place to ensure that detainees can challenge the legality of their detention and complain about their treatment;
- Review the legal status of all detainees held in Iraq by the Coalition so as to ensure that those who should not be detained are released immediately and unconditionally.

CINAT also emphasises that States remain responsible and cannot hide behind private contractors to escape their obligations under international law.

These recent revelations underscore the importance of opening all places of detention to independent and impartial monitoring bodies. We therefore call on all States to sign and ratify as soon as possible the UN Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, as well as the Optional Protocol thereto, which is an instrument of prevention establishing an international and national system for the external supervision of all places of detention.

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