

Why Do We Still Tolerate Torture? Keith Best

By David Wills

Friday, 16 December 2011



Keith Best, CEO, of Torture Care, gave a short history of torture practices, and opposed any justification to torture, calling it 'morally repugnant'. Torture is taking life without killing. Its fundamental purpose is to destroy someone's personality. It confounds the basic tenets of all the major religions. The inalienable rights to freedom and human dignity which come from God. The fact that the United States under George Bush Jr. was prepared to waterboard individuals and give evidence to the senatorial committee explaining that they had waterboarded people, I believe, lost the United States all moral authority as a result and did civilisation lasting damage.

Medical, legal reports indicate that the Sri Lankan Government, after the cessation of hostilities, is engaging in torture. The Sri Lankan victims are scarred in torture with complete impunity. The scars form a kind of branding that is supposed to inform the Police if these people are picked up again that they have been tortured before. No one is expecting to be held accountable for torture in Sri Lanka. The second speaker, Keith Best, CEO of Torture Care, gave a short history of torture practices, and opposed any justification to torture, calling it 'morally repugnant'.

He sees 2,000 survivors a year from all over the world. Its taking life without killing. Its fundamental purpose is to destroy someone's personality. Torture is to destroy human dignity. It confounds the basic tenets of all the major religions. The inalienable rights to freedom and human dignity which come from God. The fact that the United States under George Bush Jr. was prepared to waterboard individuals and give evidence to the senatorial committee explaining that they had waterboarded people, I believe, lost the United States all moral authority as a result and did civilisation lasting damage.

Medical, legal reports indicate that the Sri Lankan Government, after the cessation of hostilities, is engaging in torture. The Sri Lankan victims are scarred in torture with complete impunity. The scars form a kind of branding that is supposed to inform the Police if these people are picked up again that they have been tortured before. No one is expecting to be held accountable for torture in Sri Lanka.



Keith Best's organisation, Freedom from Torture, sees 2,000 survivors a year from all over the world. Torture is taking life without killing. Its fundamental purpose is to destroy someone's personality. It is to make a person feel as if they are not part of the human race. What right has anyone got to treat someone as if they were beneath human dignity? Torture is to destroy human dignity. It confounds the basic tenets of all the major religions. The inalienable rights to freedom and human dignity which come from God.

In some nations it is endemic and it is a regular occurrence that the someone gets picked up by the Police in the middle of the night and is taken away to be tortured. Many refugees who come here to avoid a second experience of torture do not mention it because it is so common.

Torture has been with us for thousands of years, We have come a long way. The way we look at torture has improved. The English Bill of Rights in 1689 included a section prohibiting unusual treatment or punishment, which meant torture. In the seventeenth and eighteenth centuries bit by bit various European nations ruled out torture. We have to go back to the atrocities that were committed in the second world war that finally focussed attention of the prominent nations of the world that something must be done specifically about torture. Hence Article 5 in the Universal Declaration of Human Rights specifically outlaws torture. But of course there is no court to enforce Article 5. The American courts said that that declaration does not impose any international obligation in law on particular nations.

Perhaps in response to that in 1950 the European Declaration of Human Rights was signed by the Council of Europe. Article 3 specifically prohibits sending people back to countries that use torture or cruel and inhuman treatment on their citizens. Much of the developing jurisprudence is through European courts of Human Rights. Bearing in mind as Tom Brake said earlier that there are many voices who want the UK to do away with the obligations of the ECHR and replace it with a Bill of Rights. We should remember that it was the UK that was in the forefront of the negotiations for the adoption of the fundamental rights in the Council of Europe in the to adopt the ECHR. We had specifically the UN Convention against Torture, and laterly the protocol to that, that allows the inspection regime.

Why is it that despite all these international instruments we still find torture so widespread in the world? It is I am afraid that Governments have not been put under sufficient pressure to make sure that this is regarded by their own people as well as the international community as something that is unacceptable. Whether you can use the war on terrorism as an excuse, (although I have never understood how you could have a war against a concept) or whether you can use it for security purposes.

United States and waterboarding

The fact that the United States under George Bush Jr. was prepared to waterboard individuals and give evidence to the senatorial committee explaining that they had waterboarded people, I believe, lost the United States all moral authority as a result and did civilisation lasting damage. How can we pontificate about other people's human rights and then they can turn to us and say what about your own back yard, what about what you are doing to people? We also have to bear in mind that it is not proven that torture has ever illicited information that is useful in a security context. Indeed torture is notorious because of the pain it inflicts that people will say anything. Certainly not the truth about the situation. So many nations abandoned torture because it was inefficacious. It just didn't work. It did not get the truth. It is interesting that when you get Eliza Manningham-Buller say in her Reith Lectures for the BBC, former head of MI5, our internal security services, saying, 'Torture should never be tolerated even if it can be shown to be of importance in security terms.'

We must take that kind of warning seriously coming from a person of her experience. It has never been proved, notwithstanding the protestations that information was illicited from Khalid Sheikh Mohammed, for example, as a result of waterboarding. What George Bush does not explain in his book is why they waterboarded him 183 times before they illicited any information from him that they regarded as possibly being important.

So we have a massive problem on our hands when some people are still willing to justify the use of torture. I always find it alarming when I go to groups about these issues and start out by saying, 'How many people here would feel that torture is justified when in doing that we could get information that could save lives? It is horrendous how many people put up their hands. Even if we disregard how ineffective torture is to gain the truth, the fact is that it is morally repugnant. It should never ever be done even if it could be justified on security terms. It is similar to the idea that those held in jail should be remain in prison without a trial because there was not enough evidence to prosecute them! Fortunately in the UK the courts have struck down that decision. Something to be vigilant about in many nations around the world.

I want to say to those from other nations, it is a delight to see such an audience. Let people know where you are from that torture is something that should not be used. In many countries it is a dangerous thing to say.

A client from Cameroon visited us. He is from CRAT Cameroonian Rehabilitation Against Torture. In Cameroon he has to change 'Torture' to 'Trauma'. The Government would close him down, otherwise. This is because officially torture does not exist. This is one example where people who do valuable work to care for the victims of torture and to campaign against torture itself put themselves at risk.

I am not pessimistic. We can win over torture. We can eradicate torture. We need to keep on winning the argument. Politicians represent their national interest. That is why there is so much compromise. The only real way to move this forward is through the international instruments, some of which I mentioned to you this morning. We must make sure that these international instruments have weight.

Sri Lanka

We have just produced a report on Sri Lanka. We produce a medical legal report. The is written by a highly skilled Doctor who is used to diagnosing mental and physical torture. It is done using a set of diagnostic tools called the Istanbul protocol. It is highly skilled. At the highest level saying this piece of scarring can only have been done by torture. At the lowest level we can decide that it some marks on the body are consistent with torture. In that case we cannot rule out that someone stood next to a hot pipe for example. The highest level of diagnosis is that these marks are only due to torture. There is no other way these marks could have developed.

We have analysed a number of medical legal reports. They indicate that the Sri Lankan Government, after the cessation of hostilities, is engaging in torture. Diagnostically it has shown that the victims have suffered from torture

The Sri Lankan victims are scarred in torture with complete impunity. The scars form a kind of branding that is supposed to inform the Police if these people are picked up again that they have been tortured before. No one is expecting to be held accountable for torture in Sri Lanka.

We need to develop our activities so that we can put pressure on these Governments who use torture. I urge all of you using whatever persuasion and contacts you have to put pressure on the Sri Lankan Government to stop using torture. If the international community is prepared to isolate countries like Sri Lanka then we can say we have been able to make progress.

Then when we gather again on these occasions reviewing 'How Far We Have Progressed' we can say with confidence that we really have made progress.

Keith Best, the CEO of Freedom from Torture, (Torture Care) said "Torture is no respecter of class, status or achievement. I met people who have been deeply traumatised by the experience of torture – they bear the scars both physically and mentally." He has spent 20 years in the voluntary sector, advocating for the rights of people on the margins of society. He initially worked for NCH Action for Children, as director of Prisoners Abroad, and most recently as chief executive of the Immigration Advisory Service for the past 16 years. Best was named in Society Guardian as one of the 100 most influential people in public services in the UK.