

# REDRESS

## *Ending Torture. Seeking Justice for Survivors*

### **Submission to the Foreign Affairs Committee's Annual Inquiry into the FCO's Human Rights Work in 2011**

25 May 2012

#### **SUMMARY OF SUBMISSIONS**

- The FCO's Strategy for the Prevention of Torture 2011-15 is welcomed, but *accountability* and *reparation* must be included to address torture eradication effectively;
- The FCO must work with other departments and agencies to uphold its commitment to "calling for accountability where there are credible allegations of torture" for suspects present in the UK;
- The FCO should report on its revision of internal consular guidance on reporting torture and review its practice and policies on calling for accountability in this context;
- The FCO should consistently take a tough stance on allegations of torture in its diplomacy, including its allies, and needs to develop a multi-faceted strategy to address torture in countries where the practices are entrenched.

#### **INTRODUCTION**

1. This submission is made in response to the Foreign Affairs Committee (FAC)'s call for submissions in respect of its inquiry announced on 25 April 2012 into the Foreign and Commonwealth Office's (FCO's) human rights work in 2011.
2. REDRESS is an international non-governmental human rights organisation with a mandate to assist torture survivors to obtain justice and reparation for their suffering. Since its establishment in December 1992, REDRESS has accumulated wide expertise on the rights of victims of torture both within the United Kingdom and internationally. It has previously made written submissions to the FAC in relation to human rights matters.<sup>1</sup>
3. We note that the inquiry takes as its starting point the 2011 FCO Report "*Human Rights and Democracy*" published on 30 April 2012<sup>2</sup> (the "Report"). REDRESS provides evidence on select issues of most concern to its work, responding to matters raised or omitted in the Report. The FAC is also seeking submissions relating to the likely impact of the "*FCO's Strategy for the Prevention of Torture 2011-15*"<sup>3</sup> (the "Strategy"). In response, REDRESS comments on the Detainee Inquiry, the Green Paper on Justice and Security, and the UK as a "safe haven", emphasising the need for a comprehensive approach to torture eradication across HMG for the Strategy to have a real impact.

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<sup>1</sup> See e.g. REDRESS, *FOREIGN AFFAIRS COMMITTEE: HUMAN RIGHTS INQUIRY: Submissions of The Redress Trust*, 24 April 2009 at [http://www.redress.org/downloads/publications/Submission\\_to\\_FAC\\_24\\_April\\_2009.pdf](http://www.redress.org/downloads/publications/Submission_to_FAC_24_April_2009.pdf). See also REDRESS' evidence to the FAC on the Arab Spring in September 2011:

<http://www.redress.org/downloads/publications/1109%20Arab%20Spring%20FAC.pdf>.

<sup>2</sup> Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report..

<sup>3</sup> FCO, Strategy for the Prevention of Torture 2011-15, published 27 October 2011, at: <http://www.fco.gov.uk/resources/en/pdf/fcostrategy-tortureprevention>.

## SUBMISSIONS

### A. The FCO's Strategy for the Prevention of Torture 2011-15 (the "Strategy")

4. REDRESS welcomes the *FCO's Strategy for the Prevention of Torture 2011-15* (the "Strategy").<sup>4</sup> It notes that the Strategy focuses on *prevention*, and does not address the importance of *accountability* and *reparation*, as integral to the eradication of torture. The UK's obligations under the Torture Convention (CAT)<sup>5</sup> require it to promptly investigate allegations and grant survivors full redress including an enforceable right to fair and adequate compensation. In line with the obligations in CAT Article 14, the UK's anti-torture strategy should therefore clearly acknowledge the right to reparation, including rehabilitation. REDRESS understands this obligation to apply not only to torture perpetrated in the UK and/or by UK agents operating overseas, but also to any instances in which it can be said that the UK was complicit in acts of torture perpetrated principally by others. Furthermore, we understand it to apply to torture survivors present in the UK - both UK nationals and persons with substantive links to the UK - tortured abroad.
5. The Strategy also should include policy approaches for dealing with the most entrenched practices of torture around the world.

### The Detainee/Gibson Inquiry (the "Inquiry")

6. The Strategy acknowledges that for the FCO to achieve its prevention objectives, "HMG must have a good record itself" and "where problems have arisen that have affected the UK's moral standing we will act on the lessons learnt and tackle the difficult issues head on."<sup>6</sup> The Strategy then refers to the establishment of the *Detainee/Gibson Inquiry* (the "Inquiry") into the UK's alleged role in the torture and rendition of detainees.<sup>7</sup> However, as is dealt with in the FCO's current *Human Rights and Democracy Report* (the "Report"), the Inquiry was terminated due to the announcement of "further police investigations of new allegations of ill-treatment".<sup>8</sup>
7. REDRESS was one of the NGOs that was highly critical of the terms of reference and protocol of the Inquiry.<sup>9</sup> However, there is serious concern at the lack of visible progress to "tackle the difficult issues head on". Concrete steps must now be taken to establish an adequately mandated inquiry into allegations of complicity of torture, which should explicitly include achieving truth and justice for victims in line with international standards. This is a fundamental point which the Government has still not accepted. Instead, the Report refers to a future inquiry "establish[ing] the full facts and drawing[ing] a line under these matters."<sup>10</sup> Public information on "further police investigations" and progress made is also needed.

### The Green Paper on Justice and Security (the "Green Paper")

8. The Strategy was published in October 2011, the same month as the Ministry of Justice published its *Green Paper on Justice and Security* (the "Green Paper"). The Green Paper's proposals to introduce "Closed Material Procedures" in civil cases, whereby litigants could be excluded from their own cases and government (rather than an independent judge) would decide whether disclosing evidence is "contrary to the public interest" are wholly inconsistent with fundamental principles of fair trial and open justice. REDRESS, amongst many other organisations,<sup>11</sup> has publicly criticised the proposals in the public consultation

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<sup>4</sup> Ibid.

<sup>5</sup> UN Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, 1984.

<sup>6</sup> Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report., page 4.

<sup>7</sup> Ibid., page 5.

<sup>8</sup> Ibid., page 86.

<sup>9</sup> REDRESS was part of a coalition of nine human rights NGOs which engaged with the Government and the Inquiry from September 2010 to January 2012 to advocate for a proper independent and effective process.

<sup>10</sup> Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report, page 87.

<sup>11</sup> The Responses are on the Ministry of Justice website, at <http://consultation.cabinetoffice.gov.uk/justiceandsecurity/responses-to-the-consultation>.

which ended in January 2012, submitting that “[e]xtending the already controversial procedure is wrong.”<sup>12</sup> The recent announcement that HMG is nonetheless planning to introduce the proposals,<sup>13</sup> goes against the FCO’s priority of “Promoting British Values,” and claims that “as the FCO we are proud of our long tradition of staunchly and transparently defending and promoting human rights.”<sup>14</sup>

9. While this legislation would be the product of the Ministry of Justice it is significant that the FCO Strategy emphasises “consistency”, claiming that “All this work should be mutually reinforcing and we will co-ordinate with the Ministry of Justice and other government departments.”<sup>15</sup> There is a regrettable lack of consistency and lack of co-ordination between these two arms of HMG, and indeed a basic contradiction.

### **The UK as a safe haven for suspected perpetrators of human rights abuses**

10. While the FCO Annual Report addresses “human rights offenders and entry to the UK,”<sup>16</sup> there is no reference to the law, practice or policy concerning suspected perpetrators of torture who are already present in the UK. The Strategy refers to the obligations under the Torture Convention to ensure that there are no safe havens for individuals accused of torture.<sup>17</sup> It needs to go further and establish a clear policy of coordinated engagement between the FCO, the Crown Prosecution Service (Counter Terrorism Division); Metropolitan Police Service (War Crimes Unit); Home Office (Extradition) and UK Border Agency (War Crimes Team) to either extradite or prosecute cases.
11. While UK law has criminalised torture since 1988<sup>18</sup> and the legal framework to fill “impunity gaps” for torture and other international crimes has since been significantly reinforced,<sup>19</sup> there is still a resistance to actual investigations and prosecutions and informing the public about progress. Only two suspects have ever been successfully prosecuted in the UK.<sup>20</sup> This is despite figures indicating that there are a considerable number of possible perpetrators present or residing in the UK. For example, in 2009 the Joint Committee on Human Rights said that it had information that the UK Borders Agency (UKBA) had investigated 1,863 individuals in the UK for genocide, war crimes or crimes against humanity.<sup>21</sup>
12. A recent report based on figures obtained following a Freedom of Information request, stated: “more than 200 suspected war criminals [...] recently [...] identified by UK immigration officials with most continuing to live freely in the country [...]”.<sup>22</sup> The report went on to state:

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<sup>12</sup> REDRESS, *Submission to UK Ministry of Justice on “Justice and Security” Green Paper*, 6 January 2012, p. 17, at <http://www.redress.org/downloads/publications/Justice%20and%20Security%20Green%20Paper%20Consultation%20REDRESS%20submission%20-%20Copy.pdf>.

<sup>13</sup> Hansard, 9 May 2012, column 3, at <http://www.publications.parliament.uk/pa/ld201213/ldhansrd/text/120509-0001.htm>.

<sup>14</sup> FCO, *Strategy for the Prevention of Torture 2011-15*, page 28.

<sup>15</sup> *Ibid*, page 10.

<sup>16</sup> The FCO Report states that “[w]here there is independent, reliable and credible evidence that an individual has committed human rights abuses, the individual will not normally be permitted to enter the United Kingdom.” See p. 53.

<sup>17</sup> *Ibid*, p. 6.

<sup>18</sup> Criminal Justice Act 1988, Section 134(1).

<sup>19</sup> The ICC Act 2001 was amended by section 70 of the Coroners and Justice Act 2009. The effect of this amendment, which came into force on 6 April 2010, is to give UK court’s jurisdiction over genocide (and war crimes and crimes against humanity) committed abroad after 1 January 1991 where the suspect is resident in the UK.

<sup>20</sup> Afghan Faryadi Zardad was convicted of torture and hostage taking in 2005 and sentenced to 20 years imprisonment. There is an unreported High Court judgment of 19 July 2005 in *R v. Zardad* which relates to certain legal aspects of the case. An appeal was denied 17 February 2007. On 1 April 1999, Anthony (Andrzej) Sawoniuk was sentenced under the War Crimes Act 1991 to life imprisonment for the murder of two civilians. The Court of Appeal upheld his conviction on 10 February 2000 - *R. v. Sawoniuk*, Court of Appeal (Criminal Division), [2000] Crim. L. R. 506. The House of Lords denied leave to appeal on 20 June 2000 - *War Criminal Refused New Hearing*, Financial Times, 20 June 2000.

<sup>21</sup> JCHR Report “*Closing the Impunity Gap*”, published 11 August 2009, para. 34, at <http://www.publications.parliament.uk/pa/it200809/itselect/itrights/153/153.pdf>. More fully, the JCHR said here: “We [...] asked for information on the number of suspected perpetrators of genocide, war crimes and crimes against humanity present in the UK who cannot be prosecuted [because of the existing legislation’s lack of retrospective jurisdiction]. In its memorandum, the Government said it could not estimate the number of suspects living in the UK but said that in the four years between 2004 and 2008, there were 138 adverse immigration decisions (such as refusal of entry, indefinite leave to remain and naturalisation, and exclusions from refugee protection), and that “these individuals may no longer be in the UK.” In the same four years, 22 cases were referred to the Metropolitan Police. In its memoranda, Aegis quoted figures provided to Parliament: the UK Borders Agency (UKBA) has investigated 1,863 individuals in the UK for genocide, war crimes or crimes against humanity.”

<sup>22</sup> Yorkshire Post, *UK ‘safe haven’ for war crimes suspects as 200 remain at large*, 8 May 2012, at

“it was previously revealed that a further 495 suspected war criminals had been identified by the Home Office in the five years to June 2010.”<sup>23</sup> Further, the report provided that:

Michael McCann MP, chairman of the All-Party Group for the Prevention of Genocide and Crimes Against Humanity, has criticised the UKBA for not acting quickly enough when suspicions came to light. He also expressed frustration at his inability to obtain answers from the UKBA about the full scale of the problem. ‘We need a frank exchange between the UKBA and police and we need Ministers to provide straight answers to straight questions.’

13. It is imperative that the FCO and other Government ministries/agencies work together to tackle the UK being a *de facto* safe haven. Building on the Strategy, a government-wide approach to address *accountability* and *redress* for torture is necessary. Such an approach must also include diplomacy surrounding the appointment of foreign diplomats to High Commissions and Embassies in the UK, including adequate screening to ensure that foreign diplomats working in the UK are not suspected of having perpetrated international crimes, and further that swift action is taken to declare *persona non grata* any foreign diplomat for which there are credible allegations relating to their involvement in such crimes.<sup>24</sup>

## B. Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report

### a) THE ARAB SPRING<sup>25</sup>

14. We note the references in the Report to serious human rights violations in **Bahrain** last year and reforms to implement the Bahrain Independent Commission of Inquiry recommendations.<sup>26</sup> Nonetheless, prominent prisoners of conscience remain imprisoned. Other individuals who allege torture have been convicted in unfair military trials and to date, only a very small number of low-ranking police officers have been charged with offences that do not appear to reflect the gravity of the crimes alleged.<sup>27</sup>
15. Since the implementation of reforms, there have been allegations supported by independent forensic evidence of police torture and cover-up.<sup>28</sup> There is also evidence of continued use of torture and mistreatment by police officers outside detention settings. Although the Report refers to “violent clashes” between protestors and police, REDRESS has recently visited Bahrain where it saw evidence, supporting allegations of police beatings, which could not be justified as legitimate use of force. REDRESS heard many accounts of the use of tear gas in villages and its harmful effects on citizens in their homes. It also heard first-hand accounts of police failures to respond to requests for protection, and refusals to register complaints against police officers. Further, in the past two months two prominent human rights defenders, Zainab Al-Kahawja and Nabeel Rajab, have been arrested and held on what seem to be freedom of expression charges.
16. Although the FCO counts Bahrain as a partial success story, it is clear that many survivors of torture and members of civil society, including prominent lawyers, have little faith in the

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<http://www.yorkshirepost.co.uk/news/at-a-glance/main-section/uk-safe-haven-for-war-crimes-suspects-as-200-remain-at-large-1-4524193>.

<sup>23</sup> *Ibid.*

<sup>24</sup> The Guardian, *Sri Lankan diplomat may avoid questioning on war crimes claims*, 5 April 2012, at <http://www.guardian.co.uk/politics/2012/apr/05/sri-lankan-diplomat-war-crimes-allegations>.

<sup>25</sup> REDRESS provided evidence to the FAC on the FCO’s role in relation to the Arab Spring in September 2011, See:

<http://www.redress.org/downloads/publications/1109%20Arab%20Spring%20FAC.pdf>.

<sup>26</sup> Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report, p. 18.

<sup>27</sup> REDRESS is only aware of the prosecution of five low-ranking police officers on charges of accidentally killing civilians, the charging of three police officers with failing to report a crime, and the charging of one police woman with assault in relation to alleged torture by multiple police officers committed against a France 24 journalist. On 9 May 2012 REDRESS asked for further information on any additional prosecutions from the Public Prosecutor’s office, but is yet to receive a response.

<sup>28</sup> In particular, see the case of Yousef Mowali, who after claims of torture and death in police custody were raised, was said to have died by accidental drowning. An independent autopsy performed by an international doctor from the International Council for the Rehabilitation of Victims of Torture shows evidence of electrical torture and that he was unconscious when drowned. See: [http://me.aljazeera.net/?name=aj\\_standard\\_en&i=8888&section\\_name=in\\_depth\\_features&guid=2012515155335968439&showonly=1](http://me.aljazeera.net/?name=aj_standard_en&i=8888&section_name=in_depth_features&guid=2012515155335968439&showonly=1)).

reforms. As a close ally of Britain, the FCO must take a stronger role in publicly raising concerns about allegations of ongoing violations in Bahrain, calling for the use of independent forensic expertise in the investigation of complaints, calling for the release of individuals and be consistent in supporting calls for democratic reform as it has in other countries in the region. The FCO should also call for the suspension of security officials pending prompt investigation and prosecution where sufficient evidence exists.

17. In spite of efforts of the transitional government to move away from the practices of the old regime, increasing reports from **Libya** are that torture is still widely practiced. REDRESS would welcome HMG efforts to support sustainable training to help document past as well as on-going violations.
18. With respect to **Syria**, it is important that the FCO provides a constructive role in relation to future accountability for widespread or systematic violations, torture and war crimes committed in the context of the current conflict. It is critical that the UK promotes transparent and independent efforts to build capacities to properly document human rights violations.

## **b) HUMAN RIGHTS FOR BRITISH NATIONALS OVERSEAS**

19. The FCO Human Rights Report states that:

Supporting British nationals in difficulty around the world sits at the heart of FCO activity [...]. An integral part of the support provided [...] is promoting and protecting the human rights of British nationals overseas.<sup>29</sup>

20. However, a matter of concern is the level of support provided to British victims of torture and mistreatment abroad. The experience of some REDRESS clients is that FCO support and protection has been lacking. REDRESS was involved in filing a complaint to the Parliamentary Ombudsman against the FCO for failure to provide adequate assistance to a British national raped by a military officer in Egypt.<sup>30</sup>
21. Torture and mistreatment, as crimes committed by or with the consent of state officials, require specific and additional protective responses towards the victims. Although the FCO has committed to revising its internal consular guidance on reporting torture to ensure it covers torture and mistreatment outside formal places of detention, it should review its commitments to “calling for accountability when there are credible allegations of torture” in this specific context.<sup>31</sup>

## **c) JUSTICE AND THE RULE OF LAW**

22. While REDRESS congratulates the FCO for its welcomed contribution to the **International Criminal Court’s (ICC)** Trust Fund for Victims and its commitment to ensuring high quality judicial capacity amongst the Court’s judges, the UK has taken a detrimental lead in pushing to cut the Court’s budget.
23. Following a round of proposed cuts by the Assembly of States Parties Budgetary Committee and despite concerns expressed by REDRESS and others as to the impact of such cuts,<sup>32</sup> the UK and four other States circulated a document ahead of the annual budgetary meetings, calling for cuts over and above those recommended. In response, the Court emphasised that “if the Court were faced with additional reductions of [the] order [suggested by the document], a number of operations would have to be halted or ceased altogether; measures such as the postponement of the commencement of trials, the discontinuation of

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<sup>29</sup> Page 120.

<sup>30</sup> J. Shenker, ‘Foreign Office Admits Failings in Case of Briton Allegedly Raped in Egypt’, *Guardian*, 17 November 2011, available at: <http://www.guardian.co.uk/world/2011/nov/17/foreign-office-admits-mistakes-alleged-rape-egypt>.

<sup>31</sup> FCO Torture Prevention Strategy, Page 8.

<sup>32</sup> Coalition for the ICC Budget and Finance Team Submission to the Committee on Budget and Finance at its seventeenth session on 22 to 30 August 2011, 17 August 2011, [http://iccnow.org/documents/Commentary\\_on\\_2012\\_Budget\\_17\\_August\\_2011.pdf](http://iccnow.org/documents/Commentary_on_2012_Budget_17_August_2011.pdf).

investigations [...] would have to be envisaged.” NGOs following the meetings deplored this approach.<sup>33</sup>

24. The Report notes that the UK supports the work of the **International Criminal Tribunal for Rwanda (ICTR)**. While the ICTR undoubtedly contributed to the accountability of those most responsible for the 1994 genocide in Rwanda, REDRESS has received complaints from survivors of the genocide that the ICTR failed to provide reparation and thereby meaningful justice to survivors. REDRESS has written an in-depth report on survivors’ perceptions of justice so far.<sup>34</sup>
25. As the ICTR transfers cases to **Rwanda**, it is critical that the FCO engages with the domestic justice processes to ensure that survivors are finally granted reparation (in particular restitution and compensation) in accordance with their rights. REDRESS has been working with survivors of the genocide throughout Rwanda in recent years. Without addressing survivors’ right to reparation, efforts to deliver justice will be meaningless to survivors, and continue to fail to contribute to reconciliation within Rwanda.<sup>35</sup>
26. In contrast to the FCO’s commitment to Rwanda, there is open impunity for genocide suspects residing in the UK. Four suspects whose extradition to Rwanda was denied by the High Court in April 2009, have yet to be prosecuted. Where extradition fails, the UK must ensure that suspects are prosecuted before its own courts on the basis of the legal framework which exists for this purpose.<sup>36</sup>

#### **d) HUMAN RIGHTS IN COUNTRIES OF CONCERN**

27. Following deterioration in the political and human rights situation in the **Maldives** since February 2012, the Maldives should also be a country of concern to the FCO going forward. REDRESS has received many complaints of violence and ill-treatment by police at peaceful protests, and the use of torture against detainees in prison in the immediate aftermath of the change in government. A particular issue of concern is a number of reports of the use of sexual abuse by police, including sexual touching, strip searches, and abusive language, against women taking part in or being found near protests.
28. In recent years, REDRESS had been working with victims of systematic torture carried out before the democratic transition who were seeking justice and reparation for the crimes committed against them. If police abuses reported since February 2012 are allowed to go unchecked, there is the significant danger of security institutions continuing to revert to serious patterns of violations carried out in the past.
29. **Nepal** should also be considered a country of concern, both because of ongoing violations and because of consistent impunity for violations committed during the country’s 10 year conflict. In 2011 an official taskforce established by the government determined that the conflict had resulted in at least 17,265 deaths and 1,327 disappearances.<sup>37</sup> Many of the casualties were civilians, but not one person has been prosecuted, and major political parties have reached an agreement that there should be a general amnesty allowed for such crimes. In the meantime, serious human rights violations including torture and extrajudicial killings by state actors and non-state armed groups continue.

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<sup>33</sup> Issues and Concerns Presented by the Victims’ Rights Working Group on the occasion of the 10th Session of the Assembly of States Parties 12 - 21 December 2011, available at: [http://www.vrwg.org/VRWG\\_DOC/2011\\_VRWG\\_ASP10.pdf](http://www.vrwg.org/VRWG_DOC/2011_VRWG_ASP10.pdf)

<sup>34</sup> See in particular REDRESS, Experiences, Perspectives and Hopes: Survivors and Post-Genocide Justice in Rwanda, November 2008, <http://www.redress.org/downloads/publications/Rwanda%20Survivors%2031%20Oct%2008.pdf>.

<sup>35</sup> See REDRESS’ work on Rwanda here: <http://www.redress.org/smartweb/reports/reports>.

<sup>36</sup> See e.g. REDRESS’ Submission to the Joint Committee on Human Rights on UK EXTRADITION POLICY (2011) <http://www.redress.org/downloads/publications/JCHR%20Submission%2027%20January%202011.pdf> and an open letter sent by REDRESS and African Rights to the UK Government on Rwanda Genocide Suspects, 8 May 2009, at <http://www.redress.org/downloads/publications/09-05-07%20Rwanda%20Suspects%20UK%20-%20Open%20letter.pdf>.

<sup>37</sup> As reported by the Ministry for Peace and Reconstruction on 29 March 2011, using figures compiled by an official taskforce responsible for ascertaining the loss of life and property during the conflict: see report by ‘Nepal Monitor’ at [http://www.nepalmonitor.com/2011/07/recording\\_nepal\\_conf.html](http://www.nepalmonitor.com/2011/07/recording_nepal_conf.html).

30. The FCO should uphold its commitment “calling for accountability where there are credible allegations of torture” both at home and abroad. It must continue to put pressure on **Saudi Arabia** in a strategic and consistent manner. UK nationals, including Keith Carmichael (Founder of REDRESS) and the Jones group<sup>38</sup> have still to date never received redress for their suffering in Saudi Arabia.
31. While the situation in **Sudan** makes documenting torture difficult, it is not impossible. As part of REDRESS’ law reform programme implemented with partners in Sudan, we have brought or contributed to a number of case against the security services as well as military personnel, inter alia before the African Commission on Human and People’s Rights.<sup>39</sup> The FCO should make further commitments to raise allegations with officials.
32. REDRESS welcomes the actions taken by the FCO with regards to accountability for violations in **Sri Lanka**. However, we would like to see a tougher stance on the establishment of an independent international mechanism to ensure justice and accountability for war-time abuses. While the FCO should back calls for a comprehensive action plan to implement the recommendations of Sri Lanka’s Lessons Learnt and Reconciliation Commission (LLRC),<sup>40</sup> this should not be indefinite. If no visible progress is made by Sri Lanka in the lead-up to the Periodic Review in September 2012, the FCO should call for an independent investigative mechanism.
33. REDRESS welcomes the FCO’s commitment to continued assistance to torture survivors from/in **Zimbabwe** and would welcome further details in order to evaluate it against victims’ rights to redress in Article 14 of the Torture Convention. In light of media reports that the UK is a safe haven for alleged torture suspects from Zimbabwe, we reiterate our call on the UK Government to take all necessary steps to ensure adequate investigations and, where necessary, prosecutions before British courts on the basis of universal jurisdiction.<sup>41</sup>

#### e) **RECOMMENDATIONS**

The FAC should:

- Call for the FCO’s Anti-Torture Strategy to address accountability and reparation, and for the FCO to explain how it will work with others in HMG to achieve this;
- Call for the FCO to report on its review of internal consular guidance on reporting torture to ensure it meets its commitment to “calling for accountability when there are credible allegations of torture”;
- Call for the FCO to review its approach to justice for survivors of genocide and other international crimes, ensuring that accountability is integral to its strategies;
- Call on the FCO to consistently take a tough stance and raise concerns regarding alleged torture, and to develop a multi-faceted strategy to address torture where the practices are entrenched.

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<sup>38</sup> REDRESS intervened in the cases brought by of Ron Jones, Les Walker, Sandy Mitchell and Dr Bill Sampson through the British Court system, and has also intervened in their case against the UK at the European Court of Human Rights. See: <http://www.redress.org/case-docket/r-jones-v-saudi-ministry-of-the-interior-et-al>.

<sup>39</sup> See for instance: <http://www.redress.org/case-docket/international-jurisdictions>.

<sup>40</sup> Such as the Human Rights Council resolution adopted in March 2012. See <http://www.hrw.org/news/2012/03/22/un-rights-council-sri-lanka-vote-strong-message-justice>.

<sup>41</sup> <http://www.dailymail.co.uk/news/article-2002340/Philip-Machemedze-enjoyed-Mugabes-torturer--judge-says-human-right-stay-taxpayers-expense.html>.